

# BOARD OF SUPERVISORS

## Brown County



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### EXECUTIVE COMMITTEE

Tom Lund, Chairman, Patrick Moynihan, Jr., Vice-Chairman  
Patrick Buckley, Bernie Erickson, Erik Hoyer,  
Tom Sieber, John Van Dyck

#### EXECUTIVE COMMITTEE

Monday, February 10, 2020

5:30 p.m.

Room 200, Northern Building  
305 E. Walnut St., Green Bay, WI

NOTICE IS HEREBY GIVEN THAT THE COMMITTEE MAY TAKE ACTION  
ON ANY ITEM ON THE AGENDA.

- I. Call meeting to order.
- II. Approve/modify Agenda.
- III. Approve/modify Minutes of January 6, 2020.

#### Comments from the Public

1. Review Minutes of: None.

#### Legal Bills

2. Review and Possible Action on Legal Bills to be paid.

#### Communications

3. Communication from Supervisor Deslauriers re: Pertaining to Brown County Open Records. Because the 2009 Records Retention 'Schedule A' in Brown County Ordinances does not specifically itemize if or how modern forms of communication are saved, I am requesting that Corporation Counsel draft a summary document that will specifically state how Brown County captures and retains emails, text messages, phone call records, videos, and meeting recordings. I am requesting that this summary be presented at the County Board Meeting and be published on the Brown County Website. *Action at December meeting: To hold until the February 2020 Executive Committee meeting.*
4. Communication from Supervisor Tran: Send resolutions to the state in support of abolishing the statute of limitations on reporting of sexual assault. *Referred from January County Board.*
5. Communication from Supervisor Deslauriers: That Brown County cease their use of any messaging or social media platform that has the potential to create official records, until a centralized mechanism is in place to capture the records and safeguard from user deletion. *Referred from January County Board.*
6. Communication from Supervisor Deslauriers: For Corporation Counsel to carry out the request of any County Board Supervisors for Wisconsin Counties Association legal advice or legal opinion on pending or potential County business the Supervisor is working on. This advice being a free member benefit of the WCA. *Referred from January County Board.*
7. Communication from Supervisor Nicholson: Review the ordinance on Public Comments with possible action. *Referred from January County Board.*
8. Communication from Supervisor Borchardt: To recognize January as Human Trafficking month here in Brown County. *Referred from January County Board.*

#### Internal Auditor

9. 2020 Status Update: January 1 – January 31, 2020.

**Corporation Counsel**

10. Oral Report.

**Resolutions, Ordinances**

11. Resolution Regarding Table of Organization Change for the Health and Human Services Department – Community Services Division Social Worker/Case Manager (CLTS).
12. Resolution Regarding Table of Organization Change for the Health and Human Services Department – Community Treatment Center Division Dietary Unit.
13. Resolution Regarding Table of Organization Change for UW Extension LTE 4-H Program Assistant.
14. Resolution To Approve Gas Line Easement Regarding the Devils River State Trail.
15. Resolution Authorizing County Trunk Highway Jurisdictional Revisions on County Highway S, in the Town of Lawrence, Brown County.

**Department of Administration & Human Resources**

16. Director of Administration Report.
17. Human Resources Report.

**County Executive - No report.**

**Other**

18. Audit of the bills.
19. Such other matters as authorized by law.
20. Adjourn.

Tom Lund, Chair

Notice is hereby given that action by the Committee may be taken on any of the items, which are described or listed in this agenda. The Committee at their discretion may suspend the rules to allow comments from the public during the meeting. Please take notice that it is possible additional members of the Board of Supervisors may attend this meeting, resulting in a majority or quorum of the Board of Supervisors. This may constitute a meeting of the Board of Supervisors for purposes of discussion and information gathering relative to this agenda.

**PROCEEDINGS OF THE BROWN COUNTY**  
**EXECUTIVE COMMITTEE**

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Brown County Executive Committee** was held on Monday, January 6, 2020 in Room 200 of the Northern Building, 305 E. Walnut Street, Green Bay, WI.

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**Present:** Chair Lund, Supervisor Sieber, Supervisor Hoyer, Supervisor Van Dyck, Supervisor Buckley, Supervisor Moynihan, Supervisor Kaster  
**Excused:** Supervisor Erickson  
**Also Present:** Supervisors Deslauriers, Deneys, Tran, Brusky, Borchardt, Linssen, Lefebvre; Corporation Counsel David Hemery, Director of Administration Chad Weininger, Internal Auditor Dan Process, Planning Director Chuck Lamine, other interested parties and news media.

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- I. **Call meeting to order.**  
The meeting was called to order by Chair Tom Lund at 5:30 pm.
- II. **Approve/modify agenda.**

**Motion made by Supervisor Moynihan, seconded by Supervisor Sieber to amend the agenda to move Item 5 after Item 2 and Item 14 after Item 5. Vote taken. MOTION CARRIED UNANIMOUSLY**

- III. **Approve/modify Minutes of December 9, 2019.**

**Motion made by Supervisor Kaster, seconded by Supervisor Buckley to approve. Vote taken. MOTION CARRIED UNANIMOUSLY**

**Comments from the Public**

**Jane Benson – 3672 Hallers Creek Rd., Suamico –** Benson spoke in favor of the Redistricting Ordinance and in opposition of the 2<sup>nd</sup> Amendment Sanctuary County Resolution (written comments attached).

**Janyne Ste. Marie – 120 Allard Ave., Green Bay –** Ste. Marie spoke in favor of the 2<sup>nd</sup> Amendment Sanctuary County Resolution (written comments attached).

**Terry Bush – 5959 Shore Acres Rd., New Franken –** Bush provided several handouts (attached) which spoke in favor of the 2<sup>nd</sup> Amendment Sanctuary County Resolution (written comments attached).

**Richard & Susie Beverstein – 5261 Edgewater Beach Rd., Green Bay –** Mr. and Mrs. Beverstein spoke in opposition of the 2<sup>nd</sup> Amendment Sanctuary County Resolution and requested that it not be supported by the Executive Committee. Rich believed the basic notion of a sanctuary city or county is by its nature a very bad idea, unworkable, divisive, undemocratic and un-American. State laws apply statewide, not statewide except in select pockets. Susie stated, we are facing a gun violence crisis in this country that took 100 lives every single day and injured 200 more. When lawmakers take action to improve public safety, the people sworn to protect our communities had an obligation to carry out the law, not ignore it. Mothers Demand Action is a gun reformed advocacy group, they were not the enemy and did not want to limit responsible gun owners in any way but all rights have restrictions. They want to protect the 2<sup>nd</sup> amendment rights of law abiding citizens who have not demonstrated by their actions to be a threat to themselves or other. (Written statement provided after summary. See attached)

**Dan Linssen – 8977 Bay Settlement, Town of Scott –** Linssen spoke in favor of the 2<sup>nd</sup> Amendment Sanctuary County Resolution (written comments attached).

**Ron Zahn – 2811 Legend Ln., De Pere –** Zahn encouraged the committee to support the proposal before them. They hear that only the elite can interpret the constitution. Did committee members rely on the elite when they swore to uphold the constitution when they took office, the constitution of the United States and of the State of Wisconsin? He felt they should reject the notion that they leave it up to the elite or the deep state to figure it out, he didn't think the founders intended that. They should carry out the law unless it's unconstitutional. He believed the battle was with the

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constitution.

**Brian Kowalczyk – 1738 Nancy Avenue, Green Bay** – Kowalczyk spoke in favor of the 2<sup>nd</sup> Amendment Sanctuary County Resolution. When he was a teenager, his dad was a police officer in Milwaukee. He asked him if he could protect the people and his response was, “No, only if they were lucky enough to be there when something happened.” One time when he was off duty, he got involved with an incident and identified himself as a police officer and bad guys took his gun and started shooting him. As far as guns being violent, it’s the bad people carrying the gun. When it came to the 2<sup>nd</sup> amendment un-alienable means it can’t be taken away or transferred, it didn’t make sense.

**Cheryl McCutcheon – 3430 Shady Ln., Suamico** – Shared her support for the redistricting procedure. She was a citizen member of the subcommittee that drafted the original ordinance. She attended the last Executive Committee meeting and although she sensed some disagreement with the proposal she was happy to hear there was general alignment to their proposal. Citizens wanted to ensure a fair and unbiased approach to how voting maps were drawn. McCutcheon spoke in opposition of the 2<sup>nd</sup> Amendment Sanctuary County Resolution, the constitution mentions a well-trained militia and she didn’t think every citizen was considered that and guns have changed.

**David Duchaine – 2389 Little Rapids, De Pere** – Duchaine strongly supported the 2<sup>nd</sup> Amendment Sanctuary County Resolution to make a statement. When the constitution was formed, before it was ratified, the 10 amendments were in it because some of the signers refused to sign it because they didn’t think the rights were protected enough. In a free society, government doesn’t give you the rights but they can take them away. Governments are there to protect your rights and as a free society, if you do not have a criminal record, there should be no problem.

**Adam Timmerman – 1789 Grant St., Apt 7, De Pere** – Timmerman spoke in favor of the 2<sup>nd</sup> Amendment Sanctuary County Resolution. Most citizens do not consider themselves part of the militia. He took that term quite literally. The ability to sustain a well-regulated militia he believed was being allowed to be into firearm sports, enjoy any range of firearms that you are legally allowed to carry and those laws were changing and without his input. Concerns are what has brought him today, he doesn’t want to be considered an outlaw because of his weapons. He has full legal right to carry semi-automatic weapons, high capacity magazines, and to go in practice with friends in any way he saw safe as long as it was safe for everybody involved.

**Barbara Paterick – 4950 Founders Ter., Hobart** – Paterick was in support of the proposed ordinance for the drawing of fair maps. In regard to the 2<sup>nd</sup> Amendment Resolution, she was trained as a lawyer and she understood they all had differences on the right to bear arms and it was fair and they should discuss it. There were considerations on all sides. She believed the ordinance stated they would urge the breaking of laws, not promoting law, and they should never promote that. Passing the resolution says they want chaos.

**Ellen Sarns – 824 Riverside Dr., Suamico** – She 100% supported the subcommittee for redistricting, they deserve fair maps. She believed the reason they were seeing the 2<sup>nd</sup> Amendment Sanctuary Resolutions across the country was a partisan way to bump gun control laws and act in democratic re-controlled state legislatures. She didn’t see any law where they wanted to take guns away from people. She questioned who this resolution benefitted and provided data from gun law surveys. She was not in support of the resolution, it was unenforceable, nonbinding and didn’t think it would make the county safer.

**Brian Johnson - 1600 14<sup>th</sup> Ave., Green Bay** – Johnson is a Veteran, a Patriot and a proud member of this community. He understood the 2<sup>nd</sup> Amendment Sanctuary helped reinforce the Sheriff’s constitutional responsibilities. With respect to the emotions attached to this issue, they were speaking of reinforcing and respecting of the abiding by the constitution. The Sheriff swore an oath, he swore an oath as a soldier, and he will abide by that and live by that. What he saw happening that upset him at a patriotic level was the erosion of their constitutional rights. If you don’t stand for it and fight for it, you’ll lose it. Once a law is enacted, it will not be changed. He wants to see people that had that lawful right to protect themselves, to hunt, to shoot recreational, to ensure they have that protected. And for anyone who had sworn an oath to protect and defend the constitution, it was their responsibility above everything.

**Linda Clemedtson - 2040 Sieker Ln., Greenleaf** – Clemedtson spoke in favor of the 2<sup>nd</sup> Amendment Sanctuary County Resolution. She disregarded statistics, they were so biased one way or the other. When talking about legal citizens with legal guns causing chaos, it was the opposite. It was the illegal person who can get a gun and go in and shoot and cause the chaos. The comment that they were not going to take guns away, that’s how it started. If the governor does an executive order to infringe on guns, she doesn’t call that her democratic vote but someone who was infringing on her rights and went against the constitution. If it went through the legislature, that’s one thing. She had much bigger

faith in level headed people in a local situation.

**Robert Williams – 2103 Minnie Ln., Suamico** – Williams felt part of the 2<sup>nd</sup> Amendment Sanctuary was being looked at from the wrong prospective. Yes it was a constitutional right, however, this amendment wasn't geared specific to the 2<sup>nd</sup> amendment but to prevent the abuse of multiple other commitments. The most egregious violation was the right to due process. This amendment sent a message to the state that we will follow the constitution and why it's important to pass the resolution.

**Bob Schuld – 2439 Vellien Ct.** - Schuld wanted it noted, along with fellow citizens, the 2<sup>nd</sup> Amendment should not be negotiable. Some people believe it is and the constitution was a living document that could be changed or should adapt to certain things. The 2<sup>nd</sup> Amendment was the one that protected everything else, the right they had that distinguished them from almost every other country in the world. Municipalities in Alaska, Arizona, Idaho, Kansas, South Dakota, Tennessee, Utah and Wyoming that has passed this law. He heard Florence Co. also. He would encourage the county to do likewise.

**Tara Czachor – 1584 Park Haven Rd., De Pere** – Czachor spoke in favor of the 2<sup>nd</sup> Amendment Sanctuary County Resolution (written comments attached).

**Rick W - 3259 Evergreen Ave., Green Bay** - Rick was a shooting victim and in support of the 2<sup>nd</sup> Amendment Sanctuary County. It made him think of how to help other people not be a shooting victim. He taught kids hunter safety for 5-years how to properly handle firearms. Firearms weren't weapons, weapons were for the military. They had to think about more objective things and come to a very thoughtful decision on this. The 2<sup>nd</sup> Amendment was for every law abiding citizen. Why should parts of the government want to take away their rights to do what they enjoy doing? It was their job to teach the children respect and not teach them fear.

**Kurt Wipperfurth – 2084 Spring Creek Cir., Bellevue** – Wipperfurth was not going to thank the committee for the opportunity to speak as it was his right as a citizen. Tonight was about their rights and not privileges. They were guaranteed the right to bear arms and that right along with the rights of free speech and regressive grievances are enshrined in their national constitution. They have a sworn duty to protect those rights.

**Steven McAlister – 850 Kellogg St., Green Bay** – McAlister spoke in favor of supporting the sanctuary city. This was settled law in 1776. The reason they were there was the 2<sup>nd</sup> Amendment was under attack. He asked for support.

**Ken Boudwine – 853 Knoll Terrace St., Green Bay** – Boudwine supported the 2<sup>nd</sup> Amendment Sanctuary County Resolution. This county was a constitutional republic, the constitution was the law of the land. Any sort of restrictions upon it was against the law. He asked that they support the resolution as well so government and law enforcement uphold the constitution.

**Scott Johnson – 1351 Carrington Ln., DePere** – From an erosion standpoint, he first went deer hunting at 13 and to hunter's safety. It was an innocence, a tradition, being with family and friends. Through the years, he saw the derogation, whether it was society, 1950s the first mass shooting took place and thinking back culturally what has gone on with the country over the last 70 years? How did they get from there to now? It's frustrating. He shoots sporting clays with his boys and loves doing it. He truly believed guns don't kill people, its evil people that kill others. He was very much in support of the resolution.

**Anthony Halloran - 1117 Beaver Dam Dr., Green Bay** – Halloran voiced his support of the 2<sup>nd</sup> Amendment Sanctuary County Resolution.

**Kevin Willems – 310 13<sup>th</sup> St., Green Bay** – Willems voiced his support of the 2<sup>nd</sup> Amendment Sanctuary County Resolution.

**Kyle Cooper – 817 N. Nicolet Ave., Green Bay** – Cooper just got back from Afghanistan deployment about a month ago. He was deployed to fight to protect the freedoms of the United States and the slow derogation and erodent of some amendments over time and you have to take a stand at some point. The county was primarily republican voted during the last government election so if they could do what they can to take a stand against having these laws forced upon us from Madison. Let's do what we can to hit the brakes and save the amendment.

**Mikko Waino – 1181 Sunset Beach Rd., Suamico – Waino was in support of the 2<sup>nd</sup> Amendment Sanctuary County Resolution.**

**Blake Carter – 3454 Eiler Rd., De Pere – Carter was in support of the 2<sup>nd</sup> Amendment Sanctuary County Resolution.**

**Dominic Junio – 1319 S. Franco Ct., De Pere – Junio was in support of the 2<sup>nd</sup> Amendment Sanctuary County Resolution. There was overwhelming support in the room and he felt if more people knew about this there would be so many more gun owners in attendance.**

**Jesse Duchaine – 2943 Apple Creek Rd., DePere, WI – Duchaine was in support of the 2<sup>nd</sup> Amendment Sanctuary County Resolution. He did not want his 2<sup>nd</sup> Amendment rights infringed in any way.**

**Dave Tlachac – 2727 Allouez Ave., Green Bay – Dave was in support of the 2<sup>nd</sup> Amendment Sanctuary County Resolution, he reiterated what others said and would appreciate the committee supporting the constitution as well.**

**Lavonne Bish – 1762 Chateau Dr., Green Bay – Bish spoke in opposition of the 2<sup>nd</sup> Amendment Sanctuary County Resolution. She heard a lot about slippery slopes and felt they were talking about a real slippery slope of elective officials deciding to ignore laws that were democratically passed. Once they start picking and choosing which laws they want to enforce and which laws to follow, anarchy follows.**

**David Shippler – 6994 Bunker Hill Rd., Greenleaf – Shippler informed he supported the 2<sup>nd</sup> Amendment Sanctuary County Resolution and encouraged the committee to support it. He sent dozens of emails to elective officials, all in support of the resolution.**

**Kathy Nassios - 4461 Annabell Cir., Green Bay – Nassios felt everyone had valid points which was truly American. She believed following the constitution was American and anyone who goes against the constitution was anti-American. Guns don't kill, people do. Bad people with guns, if they want to kill, they will kill. As famous Justice Clarence Thomas once stated, our constitution is not a living document but it is perfectible. She urged the committee to pass the resolution. Taking a stand for Brown County was to take a stand in Wisconsin. It sent a signal to help other people give them a voice in the nation to come forward to speak publicly because it was important.**

**Robert Dishaw – 1951 Farlin Ave., Green Bay – Dishaw spoke in support of the 2<sup>nd</sup> Amendment Sanctuary County Resolution. He believed the committee was going to use their internal values and what they felt the voting public wanted. They also sworn allegiance to the Constitution of the United States. He asked that they do due diligence in supporting this. It was telling the public they were supporting what they already took an oath to. It was the system that they were currently involved in as well as the US constitution and state constitution. They were not taking a pro-gun stance they were taking a pro constitution and pro-government framework currently in place.**

**Jerry Johnson - 1120 Sandstone Ct., Green Bay – Johnson was a former police officer for Green Bay, 30 years of service. He was also a trainer for NE Wisconsin Technical College for law enforcement and military and also train conceal weapon classes and he spoke in support of the 2<sup>nd</sup> Amendment Sanctuary County Resolution with a slight amendment. They had all at one point in their careers agreed to uphold the Constitution of the United States. As a former officer he still felt strongly of that. He supported the Sheriff, the top authority for law enforcement in the county and he had sworn to uphold the constitution and he believed it was their job to support your Sheriff.**

**Dave Racine – 442 Meadowway Dr., Green Bay – Racine spoke in favor of the 2<sup>nd</sup> Amendment Sanctuary County Resolution (written comments attached).**

**Lindsay Dorff – 1321 Emilie St., Green Bay – Dorff spoke in opposition of the 2<sup>nd</sup> Amendment Sanctuary County Resolution. Her biggest concern was opening up a Pandora's Box of people being able to circumvent state and federal laws they don't like by going to their municipalities and counties and creating sanctuaries that give them "a right" to simply not enforce laws they don't like. She didn't know how it was something they restrict to a single area and she felt it put supervisors and the Sheriff's Department in a role of constantly having to act as constitutional scholars and she didn't believe that was the way the system was setup to work. Her understanding was that the laws were supposed to be made by the legislature, the court interprets those and it was their job to determine whether or not a law was constitutional and then it was law enforcements job to enforce that as it was interpreted by the courts if there was a problem. She didn't understand why it would be okay to create this backdoor to completely circumvent**

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that system that she felt was created for good reason.

**Kevin Severa – 3030 Celestial Ln., Green Bay–** Severa spoke in favor of the 2<sup>nd</sup> Amendment Sanctuary County Resolution.

1. **Review Minutes of:**
  - a. **Benefits Advisory Committee (September 12 & October 3, 2019).**

**Motion made by Supervisor Sieber, seconded by Supervisor Buckley to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY**

#### **Legal Bills**

2. **Review and Possible Action on Legal Bills to be paid.**

**Motion made by Supervisor Buckley, seconded by Supervisor Moynihan to approve. Vote taken. MOTION CARRIED UNANIMOUSLY**

*Although items are shown in proper format here, Item 5 was taken at this time.*

#### **Communications**

3. **Communication from Supervisor Tran: To have all standing committees use the public comment form for public comments. *Referred from December County Board.***

**Motion made by Supervisor Sieber, seconded by Supervisor Hoyer to approve. No vote taken.**

**Motion made by Supervisor Moynihan, seconded by Supervisor Buckley to refer back to Corporation Counsel. Vote taken. MOTION CARRIED UNANIMOUSLY**

4. **Communication from Supervisor Tran: To have all standing committees meet in the Northern Building for all meetings starting in January (exception can be made for field trips). *Referred from December County Board.***

Deslauriers spoke in favor as it was too difficult for his constituent to attend past meetings when they were moved. They should have meetings in best suited areas which was here.

Buckley noted Public Safety meetings were better attended at the Sheriff's Department vs downtown. He noted that some meeting were dictated by state statute, with the tour of the jail. He felt this board was dictating how the future board will operate.

Tran stated they won't know all the difficulties this board had. It's hard to hear at the Sheriff's Department. They were trying to make it easier for constituents to be part of the democratic process. Room 200 was equipped with audio and video for future closed captioning. They were investing money in the system and should utilize it. Government needed to be transparent. She felt they needed to be more consistent, it was hard for constituents and Supervisors to keep track of where things were.

Moynihan questioned if a committee chair could deem every meeting a field trip. Hemery stated it could be easily abused. Moynihan felt when they did get in the technological age again, this was the right place to be.

Lefebvre reiterated, if they were going to spend money in closed captioning and do it right for citizens then why were they not going to meet here? She felt it didn't make sense.

Lund felt it was part of the culture for Ed & Rec to meet at those various places and a great way for citizens and Supervisors to see those places. There were some gains and some to be lost if they have it all in Room 200.

Brusky suggested inserting the word "majority" in the resolution.

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Van Dyck felt they were putting the cart before the horse, if they had the proper recording devices in the room he would be more incline to support it. Then they make a resolution or commitment that they needed to record meetings and if they want to move it they make a commitment to buy equipment to go someplace else. Secondly, when looking at the room, tonight's meeting probably should have been held here, it was a disservice to the people standing in the hallway. He didn't disagree but they continue to get by with shotty equipment and they needed to make a commitment to upgrade the equipment.

Kaster felt it was important for the committees, if they want to, to have meetings at other location so committees were more aware of what was going on at different places. He didn't feel like everything had to be rigid and laid down.

**Motion made by Supervisor Buckley, seconded by Supervisor Kaster to receive and place on file. Vote taken. Nays: Van Dyck, Lund, Moynihan, Hoyer; Ayes: Buckley, Sieber. MOTION FAILED 4 TO 3**

**Motion made by Supervisor Moynihan, seconded by Supervisor to have all standing committees meet in the Northern Building starting 2020 term with exceptions as recommended by standing committees or as required by law. Vote taken. Ayes: Moynihan, Lund, Sieber, Hoyer, Van Dyck; Nays: Buckley, Kaster. CARRIED 5 to 2**

**5. Communication from Supervisor Deslauriers: For referral to the Executive Committee to consider the below (attached) Resolution to declare Brown County a Second Amendment Sanctuary County. *Referred from December County Board.***

Supervisor Deslauriers provided a handout (attached), the reason he brought the resolution forward was to protect those things. There was no legal definition for Sanctuary County and he wanted to clarify what the goals of the resolution were. He heard most of the arguments for or against in the past but the question of is this relevant or necessary, in the 17-18 years he'd been very politically active working with Madison legislatures, stopping problematic legislation was infinitely better and easier than trying to overturn legislation that had already passed. This resolution sent a clear voice as the fourth largest county in Wisconsin to state and federal legislature that they take the constitution extremely seriously and will not sit back and let it be infringed upon. If it is infringed upon, that law will be recognized as invalid and he would expect, like they all took an oath to uphold the constitution that law enforcement would look at that law, recognize that it was unconstitutional and not infringe on the rights of Brown County citizens.

Right now there were five firearm related bills at the state level and were all stalled and could change overnight based on an event, election, a whim of a legislature. It was absolutely necessary. The governor's feelings on gun control, he opened a mandatory buy-back of certain weapons, a euphemism for a gun-ban with a payment. Lowering the threshold for gun confiscation. Requiring any gun owner to get governmental permission prior to giving, selling or loaning any firearm. By loaning a hunting rifle to his nephew, Deslauriers would be a felon. The governor supported the state registration of a firearm, a gun owner registration list essentially and he supported a ban of certain accessories. Evers words, "I think we have to be pragmatic here, we have to start someplace", Deslauriers felt he would probably regret using the words "start someplace" when he said that after talking about his goals about gun control.

This was not a single effort to simply do one task to try to achieve some measure of gun control, this was a starting point. Deslauriers didn't think anyone with an honest conscience thinks that there was an honest conversation about just one or two things when it came to gun control. You have a portion of the population that want complete disarmament and a portion of the population that supports absolutely no infringement on our constitutional right. This country is a constitutional republic, any law that would be counter to the constitution, if those wanting stability and not chaos, the way you are going to get chaos is by infringing upon that constitutional right. He did not want Sheriff Deputies going out and trying to follow or enforce a law or order that would infringe on law abiding citizens right to bear arms. This resolution talked about the Sheriff using his sound discretion in administering of the law. He also took an oath to uphold the constitutional. If he's asked to enforce a law that was counter to that, he expected that he would not do it.

Deslauriers had a different perspective on gun control too. He grew up southwest of Chicago in Cook County in the 70s and 80s and it was not a safe place and it had some of the strongest gun control laws around. It didn't help because criminals were the ones who commit crime, not law abiding citizens. Now, ironically, he

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lived in the most rural area of Brown County, a mile from the county line. If he called 911, it was minutes before he got a response from law enforcement. He sat in the audience today and had a hard time not saying the people who look to take the most effective weapon I have away from me, which I use for self-defense away. He can't just sit there and take it. His right as a family man, as a protector of his household, his possessions, his land, he demand that he have a weapon to protect him and the best one he had. When response was minutes away, a minute was a lifetime. He can count on one hand, driving around his neighborhood, in a year, when he saw a police officer, one hand except for at fire scenes when he was called to an accident or a fire, he saw the Sheriff there all the time. But general patrol, just hanging out in the neighborhood, they had little police presence and when something bad happened, it took time to get there. He trusts his self, his responsibility, he taught his nephews how to responsibly handle a weapon. He didn't lock them in a cabinet and had them available. The children in his house and the children in his brother house know the responsibility of a gun and the taking of a life. They understood that, they respect that and know what to do. Gun control laws were easy. When they don't have responsibility any longer, our accountability in raising our own children to do the right thing, a gun law feels real good like were doing something.

He didn't doubt the integrity of the people who spoke on either side. He thought they all had ironically the same goal. He just thought the clarity here is that this was a constitutional right and as many people suggested, if you want to change that constitutional right either at the state or federal level, there were avenues to do so and any ambiguity at the federal level with the 2<sup>nd</sup> amendment was cleared up so clearly in our state constitution that there was no longer any arguing at the state level what that means. It's been twisted and manipulated by those who want to infringe on our rights and the reason he did this.

There was talk about muskets when the 2<sup>nd</sup> amendment was created, they were a state of the art weapon, no different than now. It's the responsible person using that weapon that determines its danger. Level the playing field. They heard accounts tonight of people who were weaker than their assailant, the gun levels that playing field. He's a responsible gun owner and never used it or pulled it but it was a level in the playing field to those that can't fight for themselves, physically it does level that playing field and how dare anybody tell him that because they feel safe in their homes that he had to give up his right to a gun to feel safe in his. Why was there no mass school shootings prior to 1999? If they don't address the societal problems when it came to gun control, nothing was going to fix it, no amount of laws was going to change that. The society of responsibility and accountability has fundamentally changed and to suggest gun control was going to fix the fundamental problem when it comes to guns was delusional. What he was asking for was that they support the resolution. He was sure Corporation Counsel would have his own opinion on how to write it. More importantly were the four goals, they were the integrity of the resolution so he asked that they uphold those goals and not cherry pick outside of it because there was no legal definition for 2<sup>nd</sup> Amendment Sanctuary. He tried to refine what he was he was shooting for in this resolution in those four goals.

Referring to Goal 1, Moynihan questioned who deemed what was unconstitutional. Deslauriers would say that the state constitution clearly defined what a constitutional right of Wisconsin residents was. Regarding the Sheriff's office, they had within the power at the County Board level to reprioritize county goals when it came to enforcement. They could deprioritize the goal of enforcement of what might be an unconstitutional law. Deslauriers thought infringement on gun ownership was pretty clear and he was seeking to support the Sheriff and the use of his sound discretion. He would have no doubt that the Sheriff would find a middle ground of enforcement that he felt would help his duty to uphold the constitution while protecting the community. When it came to people who were very passionate of gun ownership and the guns ability to protect, they openly say if any authority were to go to their home and try to infringe on their rights, they would have to use their gun to get theirs. He didn't want to put deputies in that situation or law abiding citizens in that situation if a law were to be passed in Executive order that would infringe upon the constitutional right of residents.

Moynihan questioned if the resolution did not superseded state or federal laws that have passed, Hemery stated that was correct.

Responding to Sieber, Deslauriers informed that the Sheriff had sworn an oath to uphold the constitution and some of the laws were clearly counter to both the state and federal constitution. Hemery pointed out that the Sheriff took an oath to uphold the constitution, he also took an oath to uphold the laws of the State of Wisconsin as did all of the County Board Supervisors. There were three branches of government, Legislative writes laws, Executive enforces them and Judicial interprets them. Sieber stated it would be unconstitutional

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to give authority to the Sheriff to decide what was constitutional. Hemery responded, they could not give that authority. Deslauriers informed that the line items for funding and taxation were referring to the power of the purse at the County Board level. He did not want to use county resources or funding for any effort that might infringe upon the 2<sup>nd</sup> amendment right for citizens to keep and bear arms. Sieber reiterated it was their duty and oath to uphold laws. Deslauriers stated this was a constitutional republic, he believed the constitution supersedes whatever any lawmaker could do. There were avenues to change the constitution. This was a strong message to state and federal legislatures. Sieber questioned if they could specifically enact a tax on firearms or ammunition for Brown County, Hemery replied, in his opinion, no. Sieber felt the resolution before them and the four points were contrary to the oath of office they took and constitution. The core function of democracy and the three branches of government was to have co-checks on everything. If they wanted to put something in that says they oppose or support red flag gun laws, that's appropriate. If the sanctuary county was real important and they want to outline that more. He felt what the Wisconsin Constitution says was perfect and what he felt 95% of the room agreed with and were happy to support. If they wanted to put a resolution saying they affirm the article and section of the Wisconsin Constitution, it would pass through with flying colors through the County Board. Deslauriers found it ironic that a resolution that specifically upholds the constitution he found unconstitutional. He felt there was value in making a statement. Counties in 18 states have passed similar resolutions, 4 states at the state level have passed similar protections.

Kaster stated he would support the resolution as written. He's had discussions regarding this over the years and they start out 'we are just looking to do this' and any good salesman knows you have to get your foot in the door and go from there. He believed this would lead to other things and law abiding citizens should not have to let the tail wag the dog. He didn't think they should have to let their rights to be infringed by folks that have other issues or problems. We should try to do something about that first. How guns were handled was up to each gun owner. There were many things written by forefathers. They put a lot of thought into it and had a lot more time to think and less distractions we do now. One of them wrote, "Those that hammer your weapons into plowshares will soon end up plowing for those that don't." He believed this was a way down that path. He felt they already lost a lot of rights. He knew times were changing but there were other ways to change things besides this. He knew from history other countries looked at our country when they thought of attacking, each town was like a separate entity to deal with and they'd have to fight from house to house. He knew other countries that had disarmed themselves and it didn't work out quite as well as they thought and they weren't getting them back. The County Board was very much all in favor of sending the state messages and didn't know why this wouldn't pass. He believed something had to be done and this was a good place to start.

Hoyer questioned how they knew this time was real. The slings and arrows against the 2<sup>nd</sup> amendment as it's been going on forever. Every time, things do adjust and change. There was an assault rifle ban and then it was undone. Things shift, move, and flow. He had been hearing about these assaults on the 2<sup>nd</sup> amendment his whole life and this was just the next version of that. The Attorney General of Virginia stated all of these sanctuary counties/city draft proposals were null and void. He suspected, if that's the route taken here, that was going to happen here as well. He's been hearing it was either this side or that, it was more complicated than that. He felt sorry for the people that have been impacted negatively by others doing evil and want to protect their rights and be able to recreate, etc. The constitution simply existed and it was set up with checks and balances and rendering this was unnecessary in his opinion. The county had sent a lot of things to the state but they were about particular laws. As it was written, he did not support it.

Buckley asked Corp Counsel what his recommended amendments would be, Hemery would be consistent with what they had done in the past. He suggested a resolution stating Brown County strongly supports the 2<sup>nd</sup> Amendment or Brown County is opposed to any laws being enacted that would restrict the rights of gun owners. It was not uncommon to pass a resolution in support or against something and state the reasons why. The current resolution would be unlike anything they have ever passed and he believed it would violate their oaths of office. Buckley felt they needed to have some sort of impact statement. Under the 2<sup>nd</sup> Amendment, when they look at all of the discussions about it, he was concerned about the comment of all the decisiveness in here, he didn't hear that. He heard people in support of the 2<sup>nd</sup> Amendment. Some opposed the sanctuary county. He didn't hear people oppose background checks and he liked the gentleman's comments about education for young people. That was a huge part of this. He felt there were a lot of programs they could be doing to make it safer. He felt people who wanted to own guns, should be allowed to. He purchased 3 or 4 guns this year and each time he went through a background check, for some

he had to go through ATF to get a special stamp because of the nature of weapons and he didn't have a problem with that and he should be allowed to do that if he wanted to do that. He felt he was a responsible gun owner and had a gun with him a majority of the time. He was happy to see that 6x5 the amount of people spoke for it, not against it and he liked the passion on both sides. Something like this, at the very least helps get the discussion going to find common ground and maybe at the grassroots level get some of these issues resolved. If the governor tries to do some sort of executive order, that would be wrong and talk about divisiveness. That would be huge. He would support something closer to what Deslauriers proposed because they had to make an impact. It's not the guns that are doing it, it was the people who own them or carry them illegally that kill or hurt people. It was a small portion of our society and we don't want to punish everyone for it. There were things they could do to change how things were currently being operated.

Van Dyck appreciated Deslauriers bringing this forward and his attempt. He felt it was subject to some modification/wordsmithing. He appreciated the attendance of supervisors not on the committee to hear the discussion. He also appreciated the spirit of the communication and resolution. He agreed with it in some regard but there was a slippery slope out there, the fear of giving a little and taking a lot, and he believed that was the case. He struggled with supporting it the way it was for the reason it says, 'beyond lawful legislative authority'. He fears that some of the things they were saying were beyond their lawful legislative authority. He agreed with the concept of sending a message, as they have on numerous occasions, to state and federal legislatures, giving support for upholding the constitution. He struggled with putting something out there that was not defensible. When they say give our County Sheriff office the discretion not to enforce unconstitutional laws limiting our right to keep and bear arms, he didn't feel like that was something they could dictate. When talking about preventing any arbitrary taxation of firearms or ammunition that was not something they could dictate. If the state passed a law to tax firearms, this County Board wasn't going to be able to turn around and say they won't collect that tax. Again, he wasn't opposed to expressing opinion if the opinion of the board was to say they support the 2<sup>nd</sup> Amendment.

Moynihan stated he believed in the rights to bear arms, and in the Constitution of the United States, fundamentally he had no issue with the majority of the resolution. Further he agreed that any infringement on the rights of the people must be quashed, however he didn't believe it was the role of any county board or policing agency to pick and choose the laws they shall follow and what laws they will not as egregious as they may deem them. Such things may be determined by the courts. Thus he made a motion to tighten the resolution, a compromise as such.

**Motion made by Supervisor Moynihan, seconded by Supervisor Buckley to amend the resolution as follows: #6 "WHEREAS", before the word infringe, add the word "potentially", the first "BE IT FURTHER RESOLVED" strike anything after "bear arms"; the following "BE IT FURTHER RESOLVED", strike the entire paragraph. Vote taken. MOTION CARRIED UNANIMOUSLY**

**Motion made by Supervisor Sieber, secondly by Supervisor Buckley to approve as amended. Vote taken. MOTION CARRIED UNANIMOUSLY**

*Although shown in proper format here, Item 14 was taken at this time.*

6. **Communication from Supervisor Erickson: Direct Corporation Counsel to look into starting a class action suit regarding vaping and youth vaping. If this moves forward we should look to include additional Wisconsin Counties to become involved. Referred from December County Board.**

**Motion made by Supervisor Moynihan, seconded by Supervisor Hoyer to hold for one month. Vote taken. Ayes: Hoyer, Sieber, Moynihan, Buckley, Lund; Nays: Van Dyck, Kaster. MOTION CARRIED**

#### Internal Auditor

7. **Board of Supervisors Budget Status Report (Unaudited) – November 30, 2019.**

**Motion made by Supervisor Sieber, seconded by Supervisor Kaster to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY**

8. **2019 Status Update: December 1 – December 31, 2019.**
- |||

Motion made by Supervisor Moynihan, seconded by Supervisor Sieber to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

9. 2019 Audit Plan (Status Update).

Motion made by Supervisor Moynihan, seconded by Supervisor Sieber to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Corporation Counsel

10. Oral Report.

Motion made by Supervisor Moynihan, seconded by Supervisor Kaster to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

Resolutions, Ordinances

11. Resolution to Approve Electric Line Easement Regarding the Fox River State Trail.

Motion made by Supervisor Van Dyck, seconded by Supervisor Kaster to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

12. Resolution to Approve State Trail Connector Easement.

Motion made by Supervisor Van Dyck, seconded by Supervisor Sieber to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

13. 'Sense of the Board' Resolution Supporting Passage of 2019 Senate Bill 460 and 2019 Assembly Bill 513 to Create an Independent Prosecutor Board.

Motion made by Supervisor Hoyer, seconded by Supervisor Kaster to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

14. Ordinance to Create Chapter 15 of the Brown County Code of Ordinances Entitled "Redistricting Procedure".

Corporation Counsel provided an amended ordinance (attached). Van Dyck appreciated Corporation Counsels attempt to clean up the ordinance but there were still a couple of things he'd propose to change. Under 15.03 he suggested adding an order to give priority and clear guidelines, than to throw out there a bunch of different criteria without any ranking on the order in which they should be considered left too much interpretation to the person drafting the map as to which they felt was more important.

Motion made by Supervisor Van Dyck, seconded by Supervisor Hoyer to approve as amended.

Hemery suggested hearing from Planning Director Chuck Lamine on the mapping criteria. The other two made sense but he didn't want to tie hands. It was hard to say one was more important than another because they didn't have the census numbers yet.

Lamine felt the standard deviation or equal population representation was absolutely number one, the balance of those were really issues that were dependability in court. They were always striving to the greatest extent possible to accomplish those goals and in some cases it was not possible. If they end up in a court situation they were explaining why it was not possible to do so. He didn't know if it was critically important to have a priority to it. He was fine with the way that it was.

Van Dyck reiterated there were 4-5 that should be the key drivers. If it complicated things, they could take it out. He knew they followed a certain criteria but this seemed wide open. They could end up with some widely different maps.

Moynihan made the suggestion of adding the words, "in no particular order."

Lund thought the committee set forth what they wanted to look into and that's what they came up with as the most important in the drafting of maps.

Buckley agreed with Van Dyck stating if the idea of the committee was to give guidelines and the most important part of it was how it started out, it should be population first and go down from there. Hemery stated by law, population was the most important. Buckley felt if they didn't map out hierarchy of importance, it was not much different than what they did in the past.

Buckley questioned wording in 15.05/15.06, Linssen informed it set up a procedure by which a map was brought forth to the County Board, cleaning it up quite a bit. Buckley's issue was voting on a particular map first and not letting each map stand on its own merit. Linssen informed they would be able to see them all. The idea was to have the citizens committee have more of an influence and required the County Board members to say, no, they did not want the one the citizens recommended prior to selecting one of the other ones. Buckley appreciated what they were trying to do with it but suggested not passing any influence on any supervisor on which map to draw. Linssen stated the idea behind the process of the committee was to take some more of that power and types of influences that would go into a supervisor's decision making process with regard to this was as to how it would affect their district, their position and put those in the hands that were not an elected official. They were picking and designing maps based on things they felt were in the best interest of the citizens of the county and not supervisors. Buckley stated they should be creating and not picking the maps. Linssen stated it was a bit of both, the Planning Department was designing them and the committee provided input and gave feedback to the board with what they felt was the most appropriate map to select. It did not say that the board couldn't select another map, they were all going to go to the County Board. It was intentionally built into the procedure that the County Board had the ability to do that if they felt it was appropriate. The idea behind forcing a vote or having a vote on one of them was simply to make sure that if supervisors wanted to do something like that, they were going to have to explain themselves a little bit. The point of it was to prevent situations where people were backroom dealing or providing undue influence before it got to the County Board. Buckley reiterated that he would prefer that they didn't have any influence on it and had maps come to them and they approved up or down without any outside influence in any way, shape or form.

Further discussion ensued with regard to potential changes to 15.05 and 15.06 and possible motions.

Responding to Kaster, Lamine informed that criteria was laid down by the state, federal law, court rulings, etc.

**Motion made by Supervisor Van Dyck, seconded by Supervisor Hoyer to strike from 15.02, "and shall report to the Citizens Redistricting Advisory Sub-Committee; strike from 15.05, "the Committee shall provide drafting criteria/guidelines to" and "Staff selected by the Director of Planning shall not be a member of a political party or have political affiliations". Vote taken. MOTION CARRIED UNANIMOUSLY**

Linssen suggested modifying 15.03 by adding "plus or minus one or two" after "number of Supervisors." to add flexibility to future maps. Lund felt airing out the issues right now was smart instead of leaving it ambiguous and going from there. He felt it should be in there. Supervisor Tran felt it should be an odd number and thought it was something to consider. Lund stated it had always been an even number.

**Motion made by Supervisor Lund, seconded by Supervisor Sieber to amend 15.03 by changing the word "desired" to "current" and adding "plus or minus two" after "number of Supervisors." Vote taken. MOTION CARRIED UNANIMOUSLY**

**Motion made by Supervisor Buckley, seconded by Supervisor Kaster to amend 15.05 further by striking "and shall recommend one of them for passage"; amend 15.06 by striking "The recommended map shall be voted on prior to any other map being voted on. Vote taken. Ayes: Buckley, Moynihan, Kaster, Lund; Nays: Hoyer, Sieber, Van Dyck. MOTION CARRIED 4 TO 3**

**Motion made by Supervisor Moynihan, Seconded by Supervisor Sieber to approve as amended. Vote taken. Nay: Van Dyck. MOTION CARRIED 6 TO 1**

Motion made by Supervisor Moynihan, seconded by Supervisor Hoyer to reconsider Supervisor Van Dyck's vote. Vote taken. MOTION CARRIED UNANIMOUSLY

Department of Administration & Human Resources

15. Director of Administration Report. *No action taken.*
16. Human Resources Report. *No action taken.*
17. Audit of the bills.

Motion made by Supervisor Sieber, seconded by Supervisor Hoyer to acknowledge receipt of the bills. Vote taken. MOTION CARRIED UNANIMOUSLY

Other

18. Such other matters as authorized by law.

Supervisor Moynihan stated this past summer at the Admin Committee he brought up their lease with the Chambers in City Hall. He questioned if it had been looked at? There was supposed to be a subcommittee. Hemery informed he pulled the documents and had copies of them and will bring back.

19. Adjourn.

Motion made by Supervisor Moynihan, seconded by Supervisor Sieber to adjourn at 9:07 pm. Vote taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Alicia A. Loehlein  
Administrative Coordinator

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ATTORNEY BILLS SUBMITTED TO THE EXECUTIVE COMMITTEE					
FOR February 10, 2020 MEETING					
LAW FIRM	INVOICE NUMBER	DATE	AMOUNT	FOR	
ATTY. GARY WICKERT	12W27	1/23/2020	\$ 3,127.00	Airport General	
VonBriesen	307513	12/22/2019	\$ 2,007.50	Corporation Counsel	
VonBriesen	310166	1/23/2020	\$ 647.78	Corporation Counsel	
Michael Best	1685106	1/9/2020	\$ 292.50	Resource Recovery	
		Total ----	\$ 6,074.78		

**GARY A. WICKERT, S.C.**  
*Attorney and Counselor at Law*  
 801 E. WALNUT • P.O. BOX 1656  
 GREEN BAY, WISCONSIN 54305

Gary A. Wickert

Telephone (920) 433-9425

Fax (920) 432-9188  
 wicklaw@gbonline.com

January 23, 2020

RECEIVED BY

JAN 24 2020

Brown County  
 Corporation Counsel

Brown County Airport  
 P.O. Box 23600  
 Green Bay WI 54305-3600

Re: General Matters  
 Our File No. 12 W 27

**STATEMENT**

<u>DATE</u>	<u>FOR SERVICES RENDERED:</u>	<u>HOURS</u>
12/23	Email from Sue Bertrand re: Johnson Controls; Phone conference with Sue Bertrand re: Johnson Controls	.10  .25
12/24	Email from Sue Bertrand re: Johnson Controls	.10
12/30	Emails from Sue Bertrand re: Johnson Controls; Phone conference with sue Bertrand re: Johnson Controls;	.25
	Email from Sue Bertrand re: revised agreement re: Johnson Controls and begin review	.40
12/31	Review revised revisions of Johnson Controls Agreement re: deletions, etc.	.50
1/2	Conference with Sue Bertrand and Rachel Engeler re: Johnson Controls and other matters; Conference call with representatives of Johnson Controls;	1.75
	Email from Sharyn Ernstaf re: paragraph 5; Email to Sharyn Ernstaf at Johnson Controls	1.20
1/3	Phone conference with Sue Bertrand and Rachel Engeler re: Johnson Controls	.20
1/8	Email re: security violations; Email to Marty Piette; Phone conference with Sue Bertrand re: Johnson Controls;	.15
	Email to Sharyn Ernstaf at Johnson Controls;	.35
	Email from Sharyn Ernstaf;	.10
	Email to Sharyn Ernstaf re: Johnson Controls	.20
1/9	Email to Sharyn Ernstaf re: Johnson Control; Email from Sharyn Ernstaf and review and revise paragraph 5 - Johnson Controls Agreement; Email to Sharyn Ernstaf; Email to Sue Bertrand, Marty Piette, and Rachel Engeler re: Johnson Controls	.50
1/13	Review emails from Sue Bertrand re: Johnson Controls; Phone conference with Sue Bertrand re: Johnson Controls;	.35



Page Two  
January 23, 2020

1/13	Prepare Addendum - Johnson Controls; Email to Sue Bertrand Marty Piette, and Rachel Engeler re: Johnson Controls	.75
1/15	Email from Sue Bertrand re: Johnson Controls; Review Addendum re: Purchase Order; Phone conference with Sue Bertrand re: Johnson Controls;	.75
	Email from Sue Bertrand re: Johnson Controls	.10
1/16	Email from Sue Bertrand - review revised Johnson Controls; Phone conference with Sue Bertrand re: Johnson Controls	.25
1/21	Email from Sue Bertrand with final/signed Johnson Controls; Review and revise Policy/Rules - Free Speech; Review Denver case (and other codes) re: time limits; Email to Sue Bertrand, Marty Piette, and Rachel Engeler re: Free Speech.	.10
	TOTAL HOURS:	<u>2.25</u> 10.60

10.60 HOURS @ \$295.00 PER HOUR = \$3,127.00

AMOUNT DUE ON ACCOUNT: \$3,127.00

Thank you.  
GAW:prn

O.K.  
AK  
1-23-2020

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RECEIVED BY

JAN 15 2020

Brown County  
Corporation Counsel

David Hemery, Corporation Counsel  
Brown County Corporation Counsel  
Northern Building - Room 680  
305 East Walnut Street  
PO Box 23600  
Green Bay, WI 54305-3600

100-016-001-5716

Michael Best & Friedrich LLP  
Attorneys at Law  
One South Pinckney Street  
Suite 700  
P.O. Box 1806  
Madison, WI 53701-1806  
Phone 608.257.3501  
Fax 608.283.2275  
www.michaelbest.com

EIN 39-0934985

Remittance for Payments:  
Michael Best & Friedrich LLP  
PO Box 88462  
Milwaukee, WI 53288-0462

Wire Transfer Instructions  
Bank Name: BMO Harris Bank, N.A.  
111 W. Monroe Street, Chicago, IL 60603  
ABA Routing # 071000288  
Name of Acct: Michael Best & Friedrich LLP  
Acct # 0024122010  
SWIFT Code: HATRUS44

Invoice Date January 9, 2020  
Invoice No. 1685106

Client/Matter 018236-0023 Implementation of Brown County Landfill Siting Agreement

For professional services rendered through December 31, 2019, as follows:

<u>Date</u>	<u>Timekeeper</u>	<u>Narrative</u>	<u>Hours</u>	<u>Total</u>
12/11/19	D Crass	Telephone conference with Attorney Marek; telephone conference with Mr. Haen regarding agreement amendment.	0.50	\$ 292.50
Total Hours and Services			0.50	\$ 292.50
Total Services				\$ 292.50
Total Disbursements				0.00
Total This Invoice				\$ 292.50

Outstanding Invoices:

<u>Date</u>	<u>Invoice</u>	<u>Total</u>	<u>Credits</u>	<u>Balance</u>
11/6/19	1670003	\$ 1,053.00	\$ 0.00	\$ 1,053.00
12/5/19	1677604	468.00	0.00	468.00

2

Michael Best & Friedrich LLP  
One South Pinckney Street, Suite 700  
P.O. Box 1806  
Madison, WI 53701-1806

Invoice 1685106  
018236-0023  
January 9, 2020  
Page 2 of 2

1/9/20	1685106	292.50	0.00	<u>292.50</u>
Outstanding Due:				<u>1,813.50</u>

Outstanding Invoice Aging:

0-30	31-60	61-90	91-120	121+
292.50	468.00	1,053.00	0.00	0.00

# vonBriesen

von Briesen & Roper, s.c. | Attorneys at Law

RECEIVED BY  
DEC 26 2019  
Brown County  
Corporation Counsel

106.016.001.5716

Brown County  
Attn: David Hemery  
305 East Walnut Street  
P.O. Box 23600  
Green Bay, WI 54305-3600

Invoice Date: December 22, 2019  
Invoice Number: 307513  
Attorney: James R. Macy  
Tax ID: 39-1576289

*For Professional Services through November 30, 2019*

**Matter:** 2020 Deputy Negotiations  
**Matter Number:** 009948-00028

Total Fees	\$ <u>2,007.50</u>
Total Due This Invoice	\$ 2,007.50
 Previous Balance Due	 \$ <u>3,492.50</u>
<b>Amount Due</b>	<b>\$ <u>5,500.00</u></b>

**Time Detail**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
11/15/19	JRM	Emails in preparation of bargaining; work on updated material from research in preparation of same.	0.70	192.50
11/18/19	JRM	Preparation for negotiations.	0.80	220.00
11/19/19	JRM	Preparation for and bargaining on behalf of the County in reaching tentative agreement.	5.80	1,595.00
<b>Total Fees</b>			<b>7.30</b>	<b>\$2,007.50</b>
<b>Previous Balance Due</b>				<b>\$3,492.50</b>
<b>Matter Total</b>				<b>\$5,500.00</b>

# von Briesen

von Briesen & Roper, s.c. | Attorneys at Law

Brown County  
Attn: David Hemery  
305 East Walnut Street  
P.O. Box 23600  
Green Bay, WI 54305-3600

Invoice Date: December 22, 2019  
Invoice Number: 307513  
Attorney: James R. Macy  
Tax ID: 39-1576289

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*For Professional Services through November 30, 2019*

**Matter:** 2020 Deputy Negotiations  
**Matter Number:** 009948-00028

Total Fees	\$ <u>2,007.50</u>
Total Due This Invoice	\$ 2,007.50
Previous Balance Due	\$ <u>3,492.50</u>
Amount Due	\$ <u>5,500.00</u>

2

# von Briesen

von Briesen & Roper, s.c. | Attorneys at Law

100.016.001.5716

Brown County  
Attn: David Hemery  
305 East Walnut Street  
P.O. Box 23600  
Green Bay, WI 54305-3600

Invoice Date: January 23, 2020  
Invoice Number: 310166  
Attorney: James R. Macy  
Tax ID: 39-1576289

*For Professional Services through December 31, 2019*

**Matter:** 2020 Deputy Negotiations  
**Matter Number:** 009948-00028

Total Fees	\$	522.50
Total Costs	\$	<u>125.28</u>
Total Due This Invoice	\$	647.78
Previous Balance Due	\$	<u>2,007.50</u>
Amount Due	\$	<u>2,655.28</u>

RECEIVED BY

JAN 24 2020

Brown County  
Corporation Counsel

2

**Time Detail**

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
12/04/19	JRM	Preparation of draft 2020-2021 bargaining agreement and forwarding to parties.	1.60	440.00
12/05/19	JRM	Emails concerning status of tentative agreement. (No Charge)	0.20	0.00
12/26/19	JRM	Emails with Attorney Cermele concerning status of contract.	0.30	82.50
<b>Total Fees</b>			<b>2.10</b>	<b>\$522.50</b>

**Cost Detail**

<u>Date</u>	<u>Description</u>	<u>Quantity</u>	<u>Amount</u>
12/15/19	vBR - Mileage to/from Brown County for negotiations (108 miles) 10/29/19	1.00	62.64
12/15/19	vBR - Mileage to/from Green Bay for negotiations (108 miles) 11/19/19	1.00	62.64
<b>Total Costs</b>			<b>\$125.28</b>
<b>Previous Balance Due</b>			<b>\$2,007.50</b>
<b>Matter Total</b>			<b>\$2,655.28</b>



# von Briesen

von Briesen & Roper, s.c. | Attorneys at Law

Brown County  
Attn: David Hemery  
305 East Walnut Street  
P.O. Box 23600  
Green Bay, WI 54305-3600

Invoice Date: January 23, 2020  
Invoice Number: 310166  
Attorney: James R. Macy  
Tax ID: 39-1576289

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*For Professional Services through December 31, 2019*

**Matter:** 2020 Deputy Negotiations  
**Matter Number:** 009948-00028

Total Fees	\$	522.50
Total Costs	\$	<u>125.28</u>
Total Due This Invoice	\$	647.78
Previous Balance Due	\$	<u>2,007.50</u>
Amount Due	\$	<u><u>2,655.28</u></u>

2



**BROWN COUNTY  
BOARD OF SUPERVISORS  
COURT HOUSE  
GREEN BAY, WISCONSIN**

**BROWN COUNTY BOARD OF SUPERVISORS**

Meeting Date: \_\_\_\_\_

Agenda No. : \_\_\_\_\_

Motion from the Floor

I make the following motion:

Pertaining to Brown County Open Records

Because the 2009 Records Retention 'Schedule A' in Brown County ordinances does not specifically itemize if or how modern forms of communication are saved, I am requesting that Corporation Counsel draft a summary document that will specifically state how Brown County captures and retains emails, text messages, phone call records, videos, and meeting recordings. I am requesting that this summary be presented at the May County Board Meeting and be published on the Brown County website.

Please include links to any policies that obligate employees and elected officials to use County owned infrastructure and devices, how open record requests are handled when County infrastructure or devices are not used for official business, and clarification on how the County captures and safeguards records that are deleted by the participant prior to the time frame specified by the record retention 'Schedule A'.

Signed: \_\_\_\_\_

District No.: \_\_\_\_\_

(Please deliver to the County Clerk after the motion is made for recording into the minutes.)

3

BOARD OF SUPERVISORS

Brown County



BROWN COUNTY  
BOARD OF SUPERVISORS  
GREEN BAY, WISCONSIN

Meeting Date:

15 Jan 2020

Agenda No.:

Exec Cmte

Motion from the Floor

I make the following motion:

Send resolution to the State  
in support of abolishing the Statute of  
limitations on reporting of sexual assault

Signed:

My Tran

District No.

21

(Please deliver to County Clerk after motion is made for recording into minutes.)



**BROWN COUNTY  
BOARD OF SUPERVISORS  
COURT HOUSE  
GREEN BAY, WISCONSIN**

**BROWN COUNTY BOARD OF SUPERVISORS**

Meeting Date: January 15, 2020

Agenda No. : Late Communication

Motion from the Floor

I make the following motion:

That Brown County cease their use of any messaging or social media platform that has the potential to create official records, until a centralized mechanism is in place to capture the records and safeguard from user deletion.

Signed: 

District No.: 20



**BROWN COUNTY  
BOARD OF SUPERVISORS  
COURT HOUSE  
GREEN BAY, WISCONSIN**

**BROWN COUNTY BOARD OF SUPERVISORS**

Meeting Date: January 15, 2020

Agenda No. : Late Communication

Motion from the Floor

I make the following motion:

For Corporation Counsel to carry out the request of any County Board Supervisor for Wisconsin Counties Association legal advice or legal opinion on pending or potential County business the Supervisor is working on. This advice being a free member benefit of the WCA.

Signed: 

District No.: 20

BOARD OF SUPERVISORS

Brown County



BROWN COUNTY  
BOARD OF SUPERVISORS  
GREEN BAY, WISCONSIN

Meeting Date:

1/15/20

Agenda No.:

Motion from the Floor

I make the following motion:

Review the ordinance on public comments  
with possible action.

Signed:

A handwritten signature in cursive script, appearing to read "Andy Smith", written over a horizontal line.

District No.

#3

(Please deliver to County Clerk after motion is made for recording into minutes.)

BOARD OF SUPERVISORS

Brown County



BROWN COUNTY  
BOARD OF SUPERVISORS  
GREEN BAY, WISCONSIN

Meeting Date:

Exec.

Agenda No.:

Motion from the Floor

I make the following motion:

To recognize January as Human Trafficking  
month here in Brown Co.

Signed:

Megan Bertram

District No.

8th

(Please deliver to County Clerk after motion is made for recording into minutes.)

# BOARD OF SUPERVISORS

## Brown County



305 E. WALNUT STREET  
P. O. BOX 23600

GREEN BAY, WISCONSIN 54305-3600

Phone (920) 448-4014 Fax (920) 448-6221

E-mail: [Danny.Process@browncountywi.gov](mailto:Danny.Process@browncountywi.gov)

**DAN PROCESS**  
**INTERNAL AUDITOR**

Date: February 4, 2020

To: Executive Committee

From: Dan Process, Internal Auditor

Re: Status Update (January 1 – January 31, 2020)

Listed below is a summary of the projects, duties and other miscellaneous activities completed or in-progress for the period indicated.

1. Projects
  - a. In-progress: Position Budgeting Review (Draft Report)
  - b. In-progress: 4<sup>th</sup> Quarter Petty Cash and Cash on Hand Review
  - c. In-progress: Review of Judicial Assistant Work Schedules
2. Standard Monthly Duties
  - a. Review – Clerk of Courts Bank Reconciliation
  - b. Preparation & Review – Bills over \$5,000 Report
  - c. Preparation & Review – Committee Paid Bills Report
3. Other Miscellaneous Activities
  - a. Audit Follow-Up (See attachment)
  - b. Year-end DTF Cash Count
  - c. Anonymous Tip Line (1)

If you have any questions regarding this information, please contact me at your convenience.

Thank you.



**Brown County Board of Supervisors**  
**Internal Audit**  
**Audit Follow-Up (Internal Audit)**  
**Updated: December 31, 2019**

Source	Issue	Recommendation	Responsible Area	Management Response	Updated Management Response / Follow-Up Performed	Next Follow-Up Date
Veterans' Emergency Assistance - Gift Cards	Internal Audit is unable to confirm the distribution of emergency assistance (gift cards) to needy veterans' from 2012 through 2017 without exception. Likewise, Internal Audit is unable to determine if these deficiencies led to unmet veterans' needs.	The Veterans' Services department should develop and implement the appropriate internal controls to restore program confidence and ensure intended benefits are going to the appropriate recipients. The following recommendations are designed to help achieve this goal: 1) Where appropriate, revise/update policy and procedures in place. 2) Ensure policy and procedures are enforced. 3) Restrict gift card access and implement controls to periodically verify inventory records. 4) Ensure all assistance provided is adequately documented and properly supported. 5) Ensure acknowledgement forms are completed, signed and retained. 6) Ensure that all gift card recipients are documented and supported. 7) Ensure program eligibility requirements are enforced and guidelines followed.	Veterans' Services	It is our intent to have an addendum to our emergency fund policy/procedure to strengthen the controls and accountability. We will have 2 staff members do a quarterly mini audit of this program with the below information which we will forward to you. Date, name of applicant requesting aid, amount of aid provided, type of card(s) and number of card(s). This will be done upon review of each application to ensure the information is accurate and correct. The 2 staff members doing the mini audit will not be the same as those approving and providing the gift cards.	The Veterans' Services department is in the process of eliminating its fuel gift cards and moving to a voucher system for fuel. This will make sure the purchase is restricted to fuel only and the voucher system is being implemented to strengthen available gas assistance. Policy/procedures will be updated to reflect these changes.	03/31/20
Brown County Review of the Drug Abuse Resistance Education (D.A.R.E.) Program Checking Account	Current solicitation/fundraising activities within the Sheriff's department violate Administrative Policy A-26: Fundraising, Solicitation and Grants.	The Sheriff's department should take corrective action to ensure that Administrative Policy A-26 and any other laws, rules and regulations are adhered to when soliciting/fundraising. This could include working with charitable organizations such as the Greater Green Bay Community Foundation or the Brown County Sheriff's Benevolent Association to solicit/fundraise on their behalf. Such organizations could then choose to donate dollars to the Sheriff's department for law enforcement purposes.	Sheriff	Fundraising activities associated with the D.A.R.E. Program have been in place for several years; well before the implementation of Administrative Policy A-26. However, the Sheriff's department recognizes this nonconformity and will work with Corporation Counsel and partner with a charitable 501(c)(3) organization to ensure compliance. While immediate compliance is desirable, a systematic approach will be taken to address program complexities. Anticipated completion date: December 31, 2019.	A meeting between the Brown County Sheriff's Office Benevolent Association Board, a 501(c)(3) charitable organization, and the Brown County Sheriff's office is scheduled for February to determine if a partnership between the two organizations can be made for the purpose of handling donations and fundraising activities until a Brown County Sheriff's Office Foundation is finalized later this year.	03/31/20

February 19, 2020

TO THE HONORABLE CHAIRMAN AND MEMBERS  
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**RESOLUTION REGARDING TABLE OF ORGANIZATION CHANGE**  
**FOR THE HEALTH AND HUMAN SERVICES DEPARTMENT –**  
**COMMUNITY SERVICES DIVISION SOCIAL WORKER/CASE MANAGER (CLTS)**

**WHEREAS**, the Brown County Health and Human Services Department's Children's Long Term Support (CLTS) unit provides assistance for families to keep their child with a disability at home; and

**WHEREAS**, the Department of Health and Human Services desires to add one (1.00) FTE Social Worker/Case Manager Position to its Table of Organization as it is necessary to provide services to clients mandated to be served that are coming off a secondary waitlist established by Department of Health Services (DHS) requirements; and

**WHEREAS**, there are sufficient funds available as part of the administrative costs allocated to Brown County Department of Health and Human Services from DHS; and

**WHEREAS**, Human Resources, in conjunction with the Department of Health and Human Services, recommends the following changes to the Department's table of organization: the addition of one (1.00) FTE Social Worker/Case Manager position in pay grade I of the Classification and Compensation Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Brown County Board of Supervisors, the following changes to the Health and Human Services Department's table of organization are hereby approved: The addition of one (1.00) FTE Social Worker/Case Manager position in pay grade I of the Classification and Compensation Plan; and

**BE IT FURTHER RESOLVED**, that, should the funding for this Position end, said Position will end and be eliminated from the Health and Human Services table of organization.

**Budget Impact: Health & Human Services-Community Services**

Annual Budget Impact (2020)	FTE	Addition/ Deletion	Salary	Fringe	Total
<b>Social Worker/Case Manager</b> \$28.00/hr Position # TBD Hours: 1,965	1.00	Addition	\$55,020	\$23,029	\$78,049
<b>Add TS Equipment (Computer, Phone)</b>					\$2,233
<b>Funding from DHS</b>					(\$80,282)
<b>Annual Budget Impact</b>					- 0 -

Partial Budget Impact (3/2/20-12/31/20)	FTE	Addition/ Deletion	Salary	Fringe	Total
<b>Social Worker/Case Manager</b> \$28.00/hr Position # TBD Hours: 1,965	1.00	Addition	\$45,850	\$19,191	\$65,041
<b>Add TS Equipment (Computer, Phone)</b>					\$2,233
<b>Funding from DHS</b>					(\$67,274)
<b>Annual Budget Impact</b>					- 0 -

*Fiscal Note: This resolution does not require an appropriation from the General Fund. The cost of this change will be funded by the Wisconsin Department of Health Services.*

Respectfully submitted,  
HUMAN SERVICES COMMITTEE  
EXECUTIVE COMMITTEE

Approved By:

\_\_\_\_\_  
TROY STRECKENBACH  
COUNTY EXECUTIVE

Date Signed: \_\_\_\_\_

20-006R

Authored by Health and Human Services Department  
Final Draft Approved by Corporation Counsel's Office

HEALTH & HUMAN SERVICES



305 E. WALNUT STREET  
P.O. BOX 23600  
GREEN BAY, WI 54305-3600

**RESOLUTION/ORDINANCE SUBMISSION TO COUNTY BOARD**

**DATE:** 12-9-19

**REQUEST TO:** Human Services, Executive, and County Board

**MEETING DATE:** 1-22-20; 2-10-20; 2-19-20

**REQUEST FROM:** Erik Pritzl  
Director

**REQUEST TYPE:** ☒ New resolution ☐ Revision to resolution  
☐ New ordinance ☐ Revision to ordinance

**TITLE:** RESOLUTION REGARDING TABLE OF ORGANIZATION CHANGE FOR THE HEALTH AND HUMAN SERVICES DEPARTMENT – COMMUNITY SERVICES DIVISION SOCIAL WORKER/CASE MANAGER (CLTS)

**ISSUE/BACKGROUND INFORMATION:**

DHS provided funding to the CLTS program in order to provide services to clients mandated to be served that are coming off a tertiary waitlist.

**ACTION REQUESTED:**

Add a 1.0 Social Worker/Case Manager position.

**FISCAL IMPACT:**

*NOTE: This fiscal impact portion is initially completed by requestor, but verified by the DOA and updated if necessary.*

1. What is the amount of the fiscal impact? \$0
2. Is it currently budgeted? ☐ Yes ☐ No ☒ N/A (if \$0 fiscal impact)
  - a. If yes, in which account?
  - b. If no, how will the impact be funded? DHS Funding
  - c. If funding is from an external source, is it one-time ☐ or continuous? ☐
3. Please provide supporting documentation of fiscal impact determination.

☒ **COPY OF RESOLUTION OR ORDINANCE IS ATTACHED**

February 19, 2020

TO THE HONORABLE CHAIRMAN AND MEMBERS  
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**RESOLUTION REGARDING TABLE OF ORGANIZATION CHANGE**  
**FOR THE HEALTH AND HUMAN SERVICES DEPARTMENT –**  
**COMMUNITY TREATMENT CENTER DIVISION**  
**DIETARY UNIT**

**WHEREAS**, a table of organization request was submitted by the Health & Human Services Department-Community Treatment Center Division (“Department”); and

**WHEREAS**, the dietary unit at the Community Treatment Center has had turnover issues due to various reasons and although the positions are classified correctly in the classification and compensation plan, they are not all budgeted at midpoint; and

**WHEREAS**, the Department would like to delete (2) student intern LTE positions and bring all dietary positions below midpoint in their pay range, up to the current midpoint to assist in retention; and

**WHEREAS**, Human Resources, in conjunction with the Department recommends the following changes to the Department’s table of organization: the deletion of two (0.50) LTE Co-op/Intern Student positions, the deletion of (1.5) Cook positions, the deletion of (7.25) Food Service Workers and the addition of (1.5) Cook positions, the addition of (7.25) Food Service Worker positions at midpoint in their current pay range.

**NOW, THEREFORE, BE IT RESOLVED** by the Brown County Board of Supervisors, the following changes to the Department’s table of organization are hereby approved: the deletion of two (0.50) LTE Co-op/Intern Student positions, the deletion of (1.5) Cook positions, the deletion of (7.25) Food Service Workers and the addition of (1.5) Cook

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positions, the addition of (7.25) Food Service Worker positions at midpoint in their current pay range.

**Budget Impact: Health & Human Services Department- Community Treatment Center Division**

<b>Annual Budget Impact</b>	<b>FTE</b>	<b>Addition/ Deletion</b>	<b>Salary</b>	<b>Fringe</b>	<b>Total</b>
<b>Cook</b> \$15.05/hr Position # 103.002.056 Hours: 2080	1.0	Deletion	(\$31,304)	(\$20,043)	(\$51,347)
<b>Cook</b> \$16.10/hr Position # 105.002.056 Hours: 1040	0.5	Deletion	(\$16,744)	(\$17,371)	(\$34,115)
<b>Food Service Worker</b> \$12.04/hr Position # 101.007.056 Hours: 1560	.75	Deletion	(\$18,782)	(\$3,429)	(\$22,211)
<b>Food Service Worker</b> \$12.68/hr Position # 103.007.056 Hours: 1456	.70	Deletion	(\$18,462)	(\$8,062)	(\$26,524)
<b>Food Service Worker</b> \$11.98/hr Position # 108.007.056 Hours: 728	.35	Deletion	(\$8,721)	(\$920)	(\$9,641)
<b>Food Service Worker</b> \$12.02/hr Position # 109.007.056 Hours: 1560	.75	Deletion	(\$18,751)	(\$3,424)	(\$22,175)
<b>Food Service Worker</b> \$12.04/hr Position # 110.007.056 Hours: 728	.35	Deletion	(\$8,765)	(\$1,014)	(\$9,779)
<b>Food Service Worker</b> \$11.98/hr Position # 111.007.056 Hours: 2080	1.0	Deletion	(\$24,918)	(\$4,312)	(\$29,230)
<b>Food Service Worker</b> \$11.98/hr Position # 112.007.056 Hours: 2096	1.0	Deletion	(\$25,110)	(\$11,284)	(\$36,394)
<b>Food Service Worker</b> \$12.02/hr Position # 114.007.056 Hours: 2080	1.0	Deletion	(\$25,002)	(\$21,656)	(\$46,658)
<b>Food Service Worker</b> \$12.02/hr Position # 117.007.056 Hours: 2080	1.0	Deletion	(\$25,002)	(\$22,220)	(\$47,222)
<b>Food Service Worker</b> \$11.98/hr Position # 118.007.056 Hours: 728	.35	Deletion	(\$8,721)	(\$920)	(\$9,641)
<b>LTE Co-op/Intern Student</b> \$8.25/hr Position # 900.014.056 Hours: 1040	.50	Deletion	(\$8,580)	(\$675)	(\$9,255)
<b>LTE Co-op/Intern Student</b> \$7.75/hr Position # 901.014.056 Hours: 1040	.50	Deletion	(\$8,060)	(\$635)	(\$8,695)
<b>Cook</b> \$16.23/hr Position # 103.002.056 Hours: 2080	1.0	Addition	\$33,758	\$20,492	\$54,250

<b>Cook</b> \$16.23/hr Position # 105.002.056 Hours: 1040	0.5	Addition	\$16,879	\$17,397	\$34,276
<b>Food Service Worker</b> \$12.91/hr Position # 101.007.056 Hours: 1560	.75	Addition	\$20,140	\$3,677	\$23,817
<b>Food Service Worker</b> \$12.91/hr Position # 103.007.056 Hours: 1456	.70	Addition	\$18,797	\$8,123	\$26,920
<b>Food Service Worker</b> \$12.91/hr Position # 108.007.056 Hours: 728	.35	Addition	\$9,398	\$992	\$10,390
<b>Food Service Worker</b> \$12.91/hr Position # 109.007.056 Hours: 1560	.75	Addition	\$20,140	\$3,677	\$23,817
<b>Food Service Worker</b> \$12.91/hr Position # 110.007.056 Hours: 728	.35	Addition	\$9,398	\$992	\$10,390
<b>Food Service Worker</b> \$12.91/hr Position # 111.007.056 Hours: 2080	1.0	Addition	\$26,853	\$4,646	\$31,499
<b>Food Service Worker</b> \$12.91/hr Position # 112.007.056 Hours: 2096	1.0	Addition	27,059	\$11,640	38,699
<b>Food Service Worker</b> \$12.91/hr Position # 114.007.056 Hours: 2080	1.0	Addition	\$26,853	\$21,993	\$48,846
<b>Food Service Worker</b> \$12.91/hr Position # 117.007.056 Hours: 2080	1.0	Addition	\$26,853	\$22,557	\$49,410
<b>Food Service Worker</b> \$12.91/hr Position # 118.007.056 Hours: 728	.35	Addition	\$9,398	\$992	\$10,390
<b>Annual Budget Impact</b>					<b>(\$183)</b>

Partial Budget Impact 2/23/20	FTE	Addition/ Deletion	Salary	Fringe	Total
<b>Cook</b> \$15.05/hr Position # 103.002.056 Hours: 2080	1.0	Deletion	(\$26,488)	(\$16,959)	(\$43,447)
<b>Cook</b> \$16.10/hr Position # 105.002.056 Hours: 1040	0.5	Deletion	(\$14,168)	(\$14,699)	(\$28,867)
<b>Food Service Worker</b> \$12.04/hr Position # 101.007.056 Hours: 1560	.75	Deletion	(\$15,893)	(\$2,901)	(\$18,794)
<b>Food Service Worker</b> \$12.68/hr Position # 103.007.056 Hours: 1456	.70	Deletion	(\$15,622)	(\$6,822)	(\$22,444)
<b>Food Service Worker</b> \$11.98/hr Position # 108.007.056 Hours: 728	.35	Deletion	(\$7,380)	(\$778)	(\$8,158)

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<b>Food Service Worker</b> \$12.02/hr Position # 109.007.056 Hours: 1560	.75	Deletion	(\$15,866)	(\$2,897)	(\$18,763)
<b>Food Service Worker</b> \$12.04/hr Position # 110.007.056 Hours: 728	.35	Deletion	(\$7,417)	(\$858)	(\$8,275)
<b>Food Service Worker</b> \$11.98/hr Position # 111.007.056 Hours: 2080	1.0	Deletion	(\$21,084)	(\$3,649)	(\$24,733)
<b>Food Service Worker</b> \$11.98/hr Position # 112.007.056 Hours: 2096	1.0	Deletion	(\$21,253)	(\$9,548)	(\$30,801)
<b>Food Service Worker</b> \$12.02/hr Position # 114.007.056 Hours: 2080	1.0	Deletion	(\$21,155)	(\$18,324)	(\$39,479)
<b>Food Service Worker</b> \$12.02/hr Position # 117.007.056 Hours: 2080	1.0	Deletion	(\$21,155)	(\$18,802)	(\$39,957)
<b>Food Service Worker</b> \$11.98/hr Position # 118.007.056 Hours: 728	.35	Deletion	(\$7,380)	(\$778)	(\$8,158)
<b>LTE Co-op/Intern Student</b> \$8.25/hr Position # 900.014.056 Hours: 1040	.50	Deletion	(\$7,260)	(\$571)	(\$7,831)
<b>LTE Co-op/Intern Student</b> \$7.75/hr Position # 901.014.056 Hours: 1040	.50	Deletion	(\$6,820)	(\$537)	(\$7,357)
<b>Cook</b> \$16.23/hr Position # 103.002.056 Hours: 2080	1.0	Addition	\$28,565	\$17,339	\$45,904
<b>Cook</b> \$16.23/hr Position # 105.002.056 Hours: 1040	0.5	Addition	\$14,282	\$14,721	\$29,003
<b>Food Service Worker</b> \$12.91/hr Position # 101.007.056 Hours: 1560	.75	Addition	\$17,041	\$3,111	\$20,152
<b>Food Service Worker</b> \$12.91/hr Position # 103.007.056 Hours: 1456	.70	Addition	\$15,905	\$6,873	\$22,778
<b>Food Service Worker</b> \$12.91/hr Position # 108.007.056 Hours: 728	.35	Addition	\$7,953	\$839	\$8,792
<b>Food Service Worker</b> \$12.91/hr Position # 109.007.056 Hours: 1560	.75	Addition	\$17,041	\$3,111	\$20,152
<b>Food Service Worker</b> \$12.91/hr Position # 110.007.056 Hours: 728	.35	Addition	\$7,953	\$839	\$8,792
<b>Food Service Worker</b> \$12.91/hr Position # 111.007.056 Hours: 2080	1.0	Addition	\$22,722	\$3,931	\$26,653
<b>Food Service Worker</b> \$12.91/hr Position # 112.007.056 Hours: 2096	1.0	Addition	\$22,902	\$9,849	\$32,751

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<b>Food Service Worker</b> \$12.91/hr Position # 114.007.056 Hours: 2080	1.0	Addition	\$22,722	\$18,609	\$41,331
<b>Food Service Worker</b> \$12.91/hr Position # 117.007.056 Hours: 2080	1.0	Addition	\$22,722	\$19,087	\$41,809
<b>Food Service Worker</b> \$12.91/hr Position # 118.007.056 Hours: 728	.35	Addition	\$7,953	\$839	\$8,792
<b>Partial Budget Impact</b>					<b>(\$155)</b>

*Fiscal Note: This resolution does not require an appropriation from the General Fund. The proposed resolution should result in a minimal personnel savings.*

Respectfully submitted,  
HUMAN SERVICES COMMITTEE  
EXECUTIVE COMMITTEE

Approved By:

\_\_\_\_\_  
TROY STRECKENBACH  
COUNTY EXECUTIVE

Date Signed: \_\_\_\_\_

20-019R  
Authored by Health & Human Services  
Final Draft Approved by Corporation Counsel's Office

12

HEALTH & HUMAN SERVICES

Brown County

305 E. WALNUT STREET  
P.O. BOX 23600  
GREEN BAY, WI 54305-3600

RESOLUTION/ORDINANCE SUBMISSION TO COUNTY BOARD

DATE: 1-16-20  
REQUEST TO: Human Services, Executive, and County Board  
MEETING DATE: 1/22/20, 2/10/20, 2/19/20, respectively  
REQUEST FROM: Erik Pritzl  
Director  
REQUEST TYPE: ☒ New resolution ☐ Revision to resolution  
☐ New ordinance ☐ Revision to ordinance

TITLE: RESOLUTION REGARDING TABLE OF ORGANIZATION CHANGE FOR THE HEALTH AND HUMAN SERVICES DEPARTMENT – COMMUNITY TREATMENT CENTER DIVISION DIETARY UNIT

**ISSUE/BACKGROUND INFORMATION:**

The Dietary Department at the Community Treatment Center has recently struggled to keep people employed for various reasons. Both the Food Service Worker and Cook positions are correctly classified in their pay ranges but both positions are paid below midpoint. In efforts of retention, the department would like to delete two LTE Student Intern positions that have not been filled in at least the past four year and use the funds to bring all Dietary positions below midpoint of their paygrade, up to the current midpoint. This will be a necessary step in addressing the retention struggles.

**ACTION REQUESTED:**

Delete (2) LTE Co-op Student Intern positions and bring all Food Service Worker and Cook positions up to the midpoint of their current pay grade.

**FISCAL IMPACT:**

**NOTE:** This fiscal impact portion is initially completed by requestor, but verified by the DOA and updated if necessary.

1. What is the amount of the fiscal impact? \$
2. Is it currently budgeted? ☐ Yes ☐ No ☒ N/A (if \$0 fiscal impact)
  - a. If yes, in which account?
  - b. If no, how will the impact be funded?
  - c. If funding is from an external source, is it one-time ☐ or continuous? ☐
3. Please provide supporting documentation of fiscal impact determination.

☒ COPY OF RESOLUTION OR ORDINANCE IS ATTACHED

February 19, 2020

TO THE HONORABLE CHAIRMAN AND MEMBERS  
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**RESOLUTION REGARDING TABLE OF ORGANIZATION CHANGE  
FOR UW EXTENSION LTE 4-H PROGRAM ASSISTANT**

**WHEREAS**, a table of organization request was submitted by the U.W. Extension Department ("Department") to increase the salary of the LTE 4-H Program Assistant position; and

**WHEREAS**, the LTE 4-H Program Assistant position teaches STEM classes along with other instructors and the increase will have all STEM instructors being paid the same wage; and

**WHEREAS**, this position is fully funded from the Brown County 4-H Leaders Association; and

**WHEREAS**, Human Resources, in conjunction with the Department, recommends the following changes to the Department's table of organization: the deletion of one (0.23) 4-H Program Assistant position, and the addition of one (0.15) LTE 4-H Program Assistant position.

**NOW, THEREFORE, BE IT RESOLVED** by the Brown County Board of Supervisors that the following changes to the Department's table of organization are hereby approved, as stated in the Budget Impact section of this Resolution and as follows: the deletion of one (0.23) LTE 4-H Program Assistant position, and the addition of one (0.15) LTE 4-H Program Assistant position, to the U.W. Extension table of organization; and

**BE IT FURTHER RESOLVED**, that, should the funding end, said Position will end and be eliminated from the U.W. Extension table of organization.

**Budget Impact: UW-Extension**

<b>Annual Budget Impact</b>	<b>FTE</b>	<b>Addition/ Deletion</b>	<b>Salary</b>	<b>Fringe</b>	<b>Total</b>
<b>LTE 4-H Program Assistant</b> \$13.00/hr Position 112.900.083 Hours: 390	0.23	Deletion	(\$5,070)	(\$535)	(\$5,605)
<b>LTE 4-H Program Assistant</b> \$17.00/hr Position 112.900.083 Hours:298	0.15	Addition	\$5,066	\$533	\$5,599
<b>Annual Budget Impact</b>					<b>(\$6)</b>

<b>Partial Budget Impact (3/1/20- 12/31/20)</b>	<b>FTE</b>	<b>Addition/ Deletion</b>	<b>Salary</b>	<b>Fringe</b>	<b>Total</b>
<b>LTE 4-H Program Assistant</b> \$13.00/hr Position 112.900.083 Hours: 390	0.23	Deletion	(\$4,225)	(\$446)	(\$4,671)
<b>LTE 4-H Program Assistant</b> \$17.00/hr Position 112.900.083 Hours:298	0.15	Addition	\$4,222	\$444	\$4,666
<b>Partial Budget Impact</b>					<b>(\$5)</b>

*Fiscal Note: This resolution does not require an appropriation from the General Fund. This resolution is expected to result in a marginal savings.*

Respectfully submitted,

PLANNING, DEVELOPMENT AND  
TRANSPORTATION COMMITTEE  
EXECUTIVE COMMITTEE

Approved By:

\_\_\_\_\_  
TROY STRECKENBACH  
COUNTY EXECUTIVE

Date Signed: \_\_\_\_\_

20-008R

Authored by U.W. Extension

Approved by Corporation Counsel

HUMAN RESOURCES

Brown County

305 E. WALNUT STREET  
P.O. BOX 23600  
GREEN BAY, WI 54305-3600

RESOLUTION/ORDINANCE SUBMISSION TO COUNTY BOARD

DATE: 1-2-20

REQUEST TO: PD&T, Executive, and County Board

MEETING DATE: 1/27/20, 2/10/20 and 2/19/20, respectively

REQUEST FROM: Judy Knudsen  
Director

REQUEST TYPE: ☒ New resolution ☐ Revision to resolution  
☐ New ordinance ☐ Revision to ordinance

TITLE: RESOLUTION REGARDING TABLE OF ORGANIZATION CHANGE  
FOR UW EXTENSION LTE 4-H PROGRAM ASSISTANT

**ISSUE/BACKGROUND INFORMATION:**

Increase salary of LTE 4-H Program Assistant to cover STEM classes.

**ACTION REQUESTED:**

Increase salary, reduce hours.

**FISCAL IMPACT:**

*NOTE: This fiscal impact portion is initially completed by requestor, but verified by the DOA and updated if necessary.*

1. What is the amount of the fiscal impact? (\$-6.00)
2. Is it currently budgeted? ☐ Yes ☐ No ☒ N/A (if \$0 fiscal impact)
  - a. If yes, in which account? \_\_\_\_\_
  - b. If no, how will the impact be funded?
  - c. If funding is from an external source, is it one-time ☐ or continuous? ☒
3. Please provide supporting documentation of fiscal impact determination.

☒ COPY OF RESOLUTION OR ORDINANCE IS ATTACHED

February 19, 2020

TO THE HONORABLE CHAIRMAN AND MEMBERS  
OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**RESOLUTION TO APPROVE GAS LINE EASEMENT  
REGARDING THE DEVILS RIVER STATE TRAIL**

**WHEREAS**, Brown County ("County") is the holder of a Trail Management Easement interest regarding the Devils River State Recreational Trail ("Trail"). Said easement interest affords the Brown County Parks Department ("Trail Manager") the ability to construct, develop, maintain and operate the Trail; and

**WHEREAS**, in accordance with said Trail Management Easement, as well as other documents relating thereto, the County is required to consent to any additional easements/access permits/agreements granted by the Owner of the Trail, i.e., the Wisconsin Department of Natural Resources ("DNR"), provided that the Trail Manager, who has final authority over issues relating to the management of the Trail corridor, is notified and consulted with in advance; and

**WHEREAS**, upon due notification to and consultation with the Trail Manager, the DNR desires to enter into a Underground Natural Gas Line Easement ("Easement"), attached hereto and incorporated herein by reference, with Wisconsin Public Service Corporation ("Permittee") as the Permittee desires a permanent easement upon, within and beneath Trail on parcel VD-143-1; and

**WHEREAS**, pursuant to the Easement, Wisconsin Public Service Corporation, as Permittee, is required to submit a construction plan to the Trail Manager, and may not begin work regarding said construction plan unless and until written approval from the Trail Manager is granted and received. The Permittee is also required to obtain all necessary permits, approvals, and licenses prior to starting work, and to comply with all applicable federal, state, and local laws, rules and regulations.

**NOW, THERFORE, BE IT RESOLVED** that the Brown County Board of Supervisors hereby consents to the attached Easement between the Wisconsin Department of Natural Resources and Wisconsin Public Service (WPS) being entered into, and hereby authorizes and directs the Brown County Executive to execute the Easement, indicating the County's acceptance of and consent to the terms and conditions of the Easement.

*Fiscal Note: This resolution does not require an appropriation from the General Fund. Costs associated with the recording of easement will be covered by either Wisconsin Public Service Corporation or the Wisconsin Department of Natural Resources.*

Respectfully submitted,

EDUCATION & RECREATION  
COMMITTEE

EXECUTIVE COMMITTEE

Approved By:

---

TROY STRECKENBACH  
COUNTY EXECUTIVE

Date Signed: \_\_\_\_\_

20-007R

Authored by Parks Department

Approved by Corporation Counsel

BOARD OF SUPERVISORS ROLL CALL # \_\_\_\_\_

Motion made by Supervisor \_\_\_\_\_

Seconded by Supervisor \_\_\_\_\_

SUPERVISORS	DIST. #	AYES	NAYS	ABSTAIN	EXCUSED
SIEBER	1				
DE WANE	2				
NICHOLSON	3				
HOYER	4				
GRUSZYNSKI	5				
LEFEBVRE	6				
ERICKSON	7				
BORCHARDT	8				
EVANS	9				
VANDER LEEST	10				
BUCKLEY	11				
LANDWEHR	12				
DANTINNE, JR	13				

Total Votes Cast \_\_\_\_\_

Motion: Adopted \_\_\_\_\_ Defeated \_\_\_\_\_ Tabled \_\_\_\_\_

SUPERVISORS	DIST. #	AYES	NAYS	ABSTAIN	EXCUSED
BRUSKY	14				
BALLARD	15				
KASTER	16				
VAN DYCK	17				
LINSSEN	18				
KNEISZEL	19				
DESLAURIERS	20				
TRAN	21				
MOYNIHAN, JR.	22				
SUENNEN	23				
SCHADEWALD	24				
LUND	25				
DENEYS	26				



Document Number

Document Title

State of Wisconsin  
Department of Natural Resources  
Box 7921  
Madison, WI 53707

**UNDERGROUND NATURAL  
GAS PIPELINE EASEMENT**

Wis. Stat. s. 23.09(10) and 27.01(2)(g)  
Form 2200-15

**THIS UNDERGROUND NATURAL GAS PIPELINE EASEMENT** ("Easement") made by and between the State of Wisconsin Department of Natural Resources ("Grantor") and Wisconsin Public Service Corporation, a Wisconsin corporation ("Grantee").

**RECITALS**

**WHEREAS**, the Grantor is the owner of the former Wisconsin Central, Ltd., railroad corridor known today as the "Devil's River State Trail" (hereinafter referred to interchangeably as either the "Trail" or the "Premises");

**WHEREAS**, the Grantee desires to install, operate, maintain, repair, remove, and replace an underground natural gas pipeline within a 6-inch polyethylene (PE) main on a portion of the Premises ("Easement Area"), described as follows:

**Township 22 North, Range 22 East, Village of Denmark, Brown County, Wisconsin**

Section 33: Part of the Northeast (NE ¼) Quarter of the Northeast (NE¼) Quarter of said Section 33, more particularly described as follows:

**A 12-foot-wide utility corridor, the centerline of which is described as follows:**

Commencing at the Northeast corner (NE) of Section 33, Township 22 North, Range 22 East; thence S89°32'27"W along the North line of said Section 33, a distance of 202.44 feet to a point on the East property line of the parcel described in the Brown County Register of Deeds as Document Number 2095159; thence S06°27'46"E along the East property line of said parcel, a distance of 29.16 feet to the POINT OF BEGINNING (P.O.B.); Thence S89°32'27"W, a distance of 100.55 feet to a point on the West property line of said parcel, and the POINT OF TERMINATION (P.O.T.).

The Easement Area is 100.55 feet in total length, 0.03 acres in size, and is shown on attached Exhibit "A".

**NOW, THEREFORE**, the undersigned Grantor does hereby grant and convey to the Grantee, and its corporate successors in interest, for and in valuable consideration of the sum of Five Hundred Dollars (\$500.00), receipt and sufficiency of which is hereby acknowledged by the Grantor, this permanent non-exclusive Easement allowing Grantee to install, maintain, inspect, operate, repair, remove, replace, and/or abandon in place an underground natural gas main ("underground natural gas pipeline"), including all necessary appurtenant equipment as deemed necessary by the Grantee for the transmission and distribution of natural gas energy (all of the foregoing collectively, the "Facilities") under, across, and through the above-described Easement Area. 14

**Recording Area**

Return: Department of Natural Resources  
Bureau of Facilities & Lands - LF/6  
P.O. Box 7921  
Madison, WI 53707-7921  
Attn: Closing Officer (CE- )

**Parcel Identification Number (PIN):**

VD-143-1

It is understood by the Grantor and the Grantee that this grant of non-exclusive Easement is subject to the following conditions:

1. The Grantee and the Grantor confirm and agree that the recitals set forth above are true and correct and incorporate the same herein for all purposes.
2. Brown County is the owner and holder of a Trail Management Easement on the Premises for the construction, development, maintenance and operation of the Trail by the Brown County Parks Department (hereinafter referred to as the "Trail Manager"). When notification is required herein regarding the installation, use and maintenance of the underground natural gas pipeline, the Trail Manager instead of the Grantor shall be the point of contact, as the Trail Manager has control and authority over issues relating to the management of the Trail.
3. The Grantor grants and conveys to Grantee a permanent non-exclusive Easement for the installation, construction, operation, inspection, maintenance, repair, removal, replacement and/or abandonment in place of the Facilities within the Easement Area. Any additional lines, conduits, structures, or replacements other than those described herein, will require the prior written approval of the Grantor, which may require a new easement or an expansion of the Easement Area. The underground natural gas pipeline shall be installed by directional boring under the Easement Area at a minimum depth of 10 feet or such sufficient depth that is in accordance with the standards of the National Fuel Gas Code.
4. This Easement is limited to the Grantee and is not transferrable to a third-party, except after written notification and consent of Grantor provided, however, that Grantee may assign this Easement to its affiliate with notice to Grantor. For purposes of this section, "affiliate" means any entity that directly or indirectly owns or controls, is owned or controlled by, or is under common ownership or control with Grantee. The Grantee will not have the right to allow additional physical co-location of facilities by unaffiliated third parties without the prior written consent from the Grantor, which may require an amendment to the Easement or a new easement.
5. The Easement shall be non-exclusive, and the Grantor may use the Easement Area and may lease or convey other easements to one or more other person(s), company(ies) or other entity(ies); provided that any such subsequent use, lease or conveyance shall not interfere with the Grantee's rights.
6. Grantee shall submit a written notification of project commencement to Grantor's Trail Manager at least 5 business days prior to initiation of any tree and brush clearing, installation, construction, maintenance, repair, removal or replacement work on the Easement Area. The Grantee shall receive approval from the Grantor's Trail Manager prior to commencing any project. If an emergency arises within the Easement Area(s) requiring immediate action by the Grantee, the Grantee shall immediately notify the Grantor's Trail Manager that an emergency exists and that the Grantee is proceeding to correct the emergency situation.
7. Grantor grants to the Grantee the right to enter upon the Grantor's Premises outside of the Easement Area for the purpose of gaining access to the Easement Area for the purpose of installing, operating, maintaining, repairing, removing, replacing or abandoning the underground natural gas pipeline and for the performance of any and all other such acts necessary for the proper installation, operation maintenance, repair, removal and replacement of said underground natural gas pipeline.
8. Grantee may cut, trim and remove any of Grantor's brush, trees, logs, stumps or branches which by reason of their proximity may endanger or interfere with the said underground natural gas pipeline or the operation thereof. Any such undertakings shall be done with the prior written approval and under the

supervision of the Trail Manager. Accepted arborist pruning/removal and equipment practices must be adhered to and all waste debris, stumps and slash must be removed and disposed of by the Grantee in a manner acceptable to the Trail Manager off site before project completion. When the removal of a tree is permitted, the stump shall be cut flush with the ground or be removed. All trees having a commercial value, including firewood, shall be cut in standard lengths and piled conveniently by the Grantee, for disposal, by sale or otherwise, by the Trail Manager.

9. All signage placed by the Grantee for purposes of project activities shall have prior written approval from the Grantor.
10. The Grantee shall maintain the Easement Area in a decent, sanitary, and safe condition during construction, installation, operation, maintenance, repair, removal and replacement, and at no time shall the Grantee allow its work to cause a hazard or unsafe conditions on the Easement Area.
11. The Grantee is responsible for determining if there are any existing utility lines located within the Easement Area. Grantee is responsible for any and all damages, costs or liabilities that result from damages caused by the Grantee to existing utility lines located within the Easement Area.
12. This Easement does not relieve Grantee from the responsibility to comply with all applicable federal and state laws and local ordinances affecting the design, materials or performance of the permitted activity and does not supersede any other governmental requirements for plan approval or for authority to undertake the permitted activity or exercising any other rights granted herein.
13. The Grantee shall restore the Easement Area in a timely workmanlike manner consistent with the condition of the Easement Area prior to such entry by the Grantee or its employees or agents. This restoration requirement, however, does not apply to the initial installation or construction of the Facilities on the Easement Area as it relates to any trees, bushes, branches or roots removed for initial installation or construction, or which subsequently may interfere with the Grantee's use of the Easement Area or create an unsafe condition.
14. Grantee shall take extreme care to avoid disturbing other facilities on the Easement Area, including drainage and wetlands, if any. All water regulations must be permitted and followed accordingly. No work may be done that encourages water to drain onto the Grantor's adjoining land.
15. The Grantee agrees not to violate any term or condition stated herein. In the event of a violation, the Grantor will give written notice to the Grantee of the violation(s) and the Grantee will have 30 days to cure the violation(s); provided, however, that in the event that the cure of such violation cannot be accomplished within such 30-day period despite diligent and continuing efforts by the Grantee, the time to cure the violation may be extended for a reasonable amount of time to permit the Grantee to complete the cure. In the event the violation(s) has not been cured to the reasonable satisfaction of the Grantor within the time frame allowed, the Grantor, at the Grantor's discretion, shall have the right to declare this Easement terminated, and shall have the right to take full control of the Easement Area, without hindrance or delay, and may use its legal remedies for recovery from the Grantee of all damages caused by the violation of this Easement by the Grantee.
16. The Easement shall automatically terminate, without right of reentry, upon:
  - a. Grantee's express abandonment of the Easement Area; or
  - b. An implied abandonment as evidenced by the non-use by Grantee of the Easement Area for utility purposes for a consecutive period of 2 years.

17. The Grantor shall not plant any trees within the Easement Area that may interfere with the Grantee's easement. The Grantor agrees that no structures or above ground improvements (not including trails, driveways, roadways or parking lots which are not prohibited), obstructions or impediments of whatever kind or nature will be constructed, placed, granted or allowed within the Easement Area. Except as otherwise allowed herein, the Grantor further agrees that the elevation of the existing ground surface of land within the Easement Area will not be altered by more than 6 inches without the prior written consent of the Grantee.
18. The Grantee assumes and agrees to protect, indemnify and save harmless the Grantor, agents, officers and employees from and against any and all claims, demands, suits, liability and expense by reason of loss or damage to any property or bodily injury including death, arising directly or indirectly from:
- a. The construction, installation, operation, maintenance, existence, use, repair, removal and replacement of the underground natural gas pipeline;
  - b. Any defect in the underground natural gas pipeline or failure thereof;
  - c. Any act or omission of the Grantee, its agents or employees while on or about the Easement Area or any of Grantor's adjoining land;
  - d. Grantee's exercise of any and all rights, duties and responsibilities granted by this Easement; and/or
  - e. Any defect of insufficiency of title or authority of the Grantor to convey this Easement;
19. The Grantee may, at its sole discretion, self-insure up to \$5,000,000. A certificate to that effect shall be provided upon request.
20. All notices or other writings this Easement requires to be given, or which may be given, to either party by the other shall be deemed to have been fully given when made in writing and deposited in the United States mail, prepaid and addressed as follows:
- a. To the Grantor: Wisconsin Department of Natural Resources, Bureau of Facilities and Lands, WDNR, 101 South Webster Street, Madison, WI 53707. Phone Number (608) 266-2136.
  - b. To the Trail Manager: Brown County Parks Department, PO Box 23600, Green Bay, WI 54305 Phone Number: 920-448-4464.
  - c. To the Grantee: Manager of Real Estate Services, Wisconsin Public Service Corp., P.O. Box 19001, Green Bay, WI 54307. Phone Number: (800) 450-7260.
  - d. The address to which any notice, demand, or other writing may be given, made or sent to any party as above provided may be changed by written notice given by such party as above provided.
21. The Grantor retains management, supervision and control over the Easement Area for the purpose of enforcing Chapter NR 45, Wis. Adm. Code, which governs the conduct of visitors to state lands and provides for the protection of the natural resources, as well as other pertinent state laws, when needed to protect the Easement Area or the general public.
22. The Grantor does not represent or warrant that title to the Easement Area is free and clear of all encumbrances or that it will defend the Grantee in its peaceful use and occupancy of the Easement Area.
23. In event of a necessary relocation of the underground natural gas pipeline, whether initiated by the Grantor, a Railroad with an interest in the Trail, the Grantee, or any other entity, the costs associated with relocating the utility shall be borne by the Grantee.
24. This Easement shall be binding on the parties hereto and their successors and assigns, as limited by condition 6, above.
25. This Easement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.

26. This Easement sets forth the entire understanding of the Grantor and the Grantee and may not be changed except by a written document executed and acknowledged by the Grantor and the Grantee.
27. If any term or condition of this Easement shall be deemed invalid or unenforceable, the remainder of this Easement shall not be affected thereby, and each term and condition shall be valid and enforceable to the fullest extent permitted by law.
28. Enforcement of this Easement may be by proceedings at law or in equity against any person or persons violating or attempting or threatening to violate any term or condition in this Easement, either to restrain or prevent the violation or to obtain any other relief. If a suit is brought to enforce this Easement, the prevailing party shall be entitled to recover its costs, including reasonable attorney fees, from the non-prevailing party to the extent authorized by law.
29. Additional Terms and Conditions specifically pertinent to this Easement will be valid if enumerated below:
- a. Relating to installation, construction, operation, maintenance, and replacement work within the Easement Area, work shall be completed as follows:
    - i. Other than as otherwise permitted herein, the Trail should remain open for public use at all times. Trail closures will not be allowed during snowmobile season and may not be allowed at certain times during bicycling season depending on planned events, activities, or volume of use. All closures must be coordinated with the Trail Manager. Any trail closure of more than 1 day may be done only with prior written permission of the Trail Manager.
    - ii. If the Trail must be blocked at any time due to safety, a flag person must be present or appropriate signage must be installed such that trail users are informed of the blockage and an acceptable detour (if needed) must be provided by the Grantee so users can pass through safely. Grantee shall not use the trail right-of-way for backing of any equipment unless a flag person is present and directing trail traffic.
    - iii. Warning signs, lights, or such other safety markers as necessary shall be placed informing trail users of any construction work or as otherwise directed by the Trail Manager.
    - iv. If needed, as determined by the Trail Manager, Grantee shall place passable barricades at entry points for trail users that require trail users to substantially reduce their speed and proceed single file. Barricade points must include signs stating that construction activities are taking place along the trail, listing a reduced speed limit, and indicating 2-way, single-file traffic.
    - v. All excavated open holes must be adequately marked at all times by the Grantee and warning signs must be placed and maintained by Grantee a safe distance ahead in both directions.
    - vi. All excavated holes shall be filled in and made level with the original grade by the Grantee prior to project activity completion.
    - vii. Insofar as is practicable and when the Grantor requests other than during the initial construction or due to an emergency situation, the Grantee shall schedule any construction work in an area used for recreational purposes at times when the ground is frozen in order to prevent or reduce soil compaction. All work will be conducted to minimize soil disturbance. All rutting will be repaired, and the Premises restored as promptly as possible by Grantee following its work. If soils are not frozen or stable to a point that avoids rutting, timber mats, mud tracks, or equivalent must be utilized to access installation, construction, maintenance, or replacement locations.
    - viii. Any and all ground settling, or trail surface damage caused by the exercise of the Grantee's rights within a 2-year period from the date of installation or any maintenance is the sole responsibility of the Grantee and must be restored or repaired to pre-construction or better conditions using the same type and quality materials as approved by the Trail Manager. Upon failure to perform by the Grantee within 20 days of notification by the Trail Manager of needed repairs or restoration,

repairs or restoration may be contracted by the Trail Manager and the Grantee shall be liable for all costs associated with such repairs and restoration.

- ix. Grantee shall not park or store any vehicles or equipment on the Trail at any time unless authorized in writing by the Trail Manager.
- b. Conveyance of this Easement may be encumbered by federal or state railroad interest and subject to future restoration and reconstruction of the right-of-way for rail purposes consistent with Section 208 of the National Trails System Act Amendment of 1983, Publ. L. No. 98-11 (16 U.S.C. 1247(d)) or Wis. Stat. s. 85.09, including possible termination of this Easement, and subject to reservations, exceptions and leases, agreements and permits authorized by the former railroad company or the Grantor prior to the execution of this Easement. The Grantor shall provide written notice of the necessity for the reestablishment of railroad, which may result in the termination of this Easement upon the discretion of the railroad. The Grantee shall: (1) not materially change the grade or topography of the Easement Area; (2) not construct and install or remove any permanent improvement which violates American Railway Engineering and Maintenance-of-Way Association ("AREMA"), or its successors' published practices and procedures or would make such reestablishment of railroad impracticable; and (3) not allow the installation of any facility, above or below grade that does not conform to AREMA's standards or clearances for railroads.
- c. If any portion of the Trail is damaged or destroyed by the Grantee, the Grantee shall be solely responsible to repair and restore the damaged area in a timely, workmanlike manner consistent with the original condition of said crossing at the beginning of this Easement. The Grantee agrees to reimburse the Grantor for any property damage to the Grantor's subject property that may arise from the construction, maintenance, or use of the crossing on the Grantor's described lands.
- d. Use of pesticides and herbicides shall only be allowed with the prior written permission of the Grantor which shall not be unreasonably withheld, delayed or denied. Any pesticides or herbicides used as part of a management plan must conform to the Forest Stewardship Council list found at <https://ic.fsc.org/en/our-impact/program-areas/forest-program/pesticides>. Grantee shall report to the Grantor (i.e. Property Manager and the DNR Pesticide Use Team), at least annually, the chemicals that will and have been applied on the Premises and the Easement Area(s), including the date, product trade name, active ingredient(s) and corresponding CAS number(s), purpose, rate, location with a map, total area treated and total amount of chemicals.

END OF CONDITIONS

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed on its behalf this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

State of Wisconsin  
Department of Natural Resources  
For the Secretary

By \_\_\_\_\_ (SEAL)  
Terry H. Bay  
Bureau Director - Facilities and Lands

State of Wisconsin     )  
                                      ) ss.  
Dane County             )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2019, the above named Terry H. Bay, Bureau Director for Facilities and Lands, State of Wisconsin Department of Natural Resources, to me known to be the person who executed the foregoing instrument and acknowledged that he executed and delivered the same as for the act and deed of said Department of Natural Resources.

\_\_\_\_\_  
\* Aubrey F. Johnson  
Notary Public, State of Wisconsin  
My Commission (expires)(is) \_\_\_\_\_



**CONSENT TO EASEMENT**

**IN WITNESS WHEREOF**, Brown County, c/o Troy Streckenbach, County Executive, Northern Building, 305 E. Walnut St., Room 120, Green Bay, WI 54301, being the holder of an easement interest which is for the construction, operation and management of the Devil's River State Trail by virtue of said Easement between the State of Wisconsin Department of Natural Resources and Brown County as recorded on January 6, 2010 as Document No. 2318274 all in Brown County Records against said Premises, does hereby acknowledge, join in and consent to this underground electric line and natural gas line easement on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Brown County

By: \_\_\_\_\_ (SEAL)  
Troy Streckenbach  
Brown County Executive

State of Wisconsin       )  
                                      ) ss.  
Brown County               )

Personally appeared before me this \_\_\_\_\_ day of \_\_\_\_\_ 2019, the above named Troy Streckenbach, County Executive, to me known to be the person who executed the foregoing instrument and acknowledged the same in the capacity therein stated and for the purpose therein contained.

\_\_\_\_\_  
\*  
Notary Public, State of Wisconsin  
My commission (expires) (is) \_\_\_\_\_

\*Please print names



IN WITNESS WHEREOF the Grantee has agreed to and caused this easement to be executed on its behalf this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Wisconsin Public Service Corporation

By \_\_\_\_\_ (SEAL)  
Kim M. Michiels – Real Estate Agent

State of Wisconsin       )  
                                      ) ss.  
Brown County                )

Personally appeared before me this \_\_\_\_\_ day of \_\_\_\_\_ 2019, the above named Kim M. Michiels – Real Estate Agent, to me known to be the person who executed the foregoing instrument and acknowledged the same in the capacity therein stated and for the purpose therein contained.

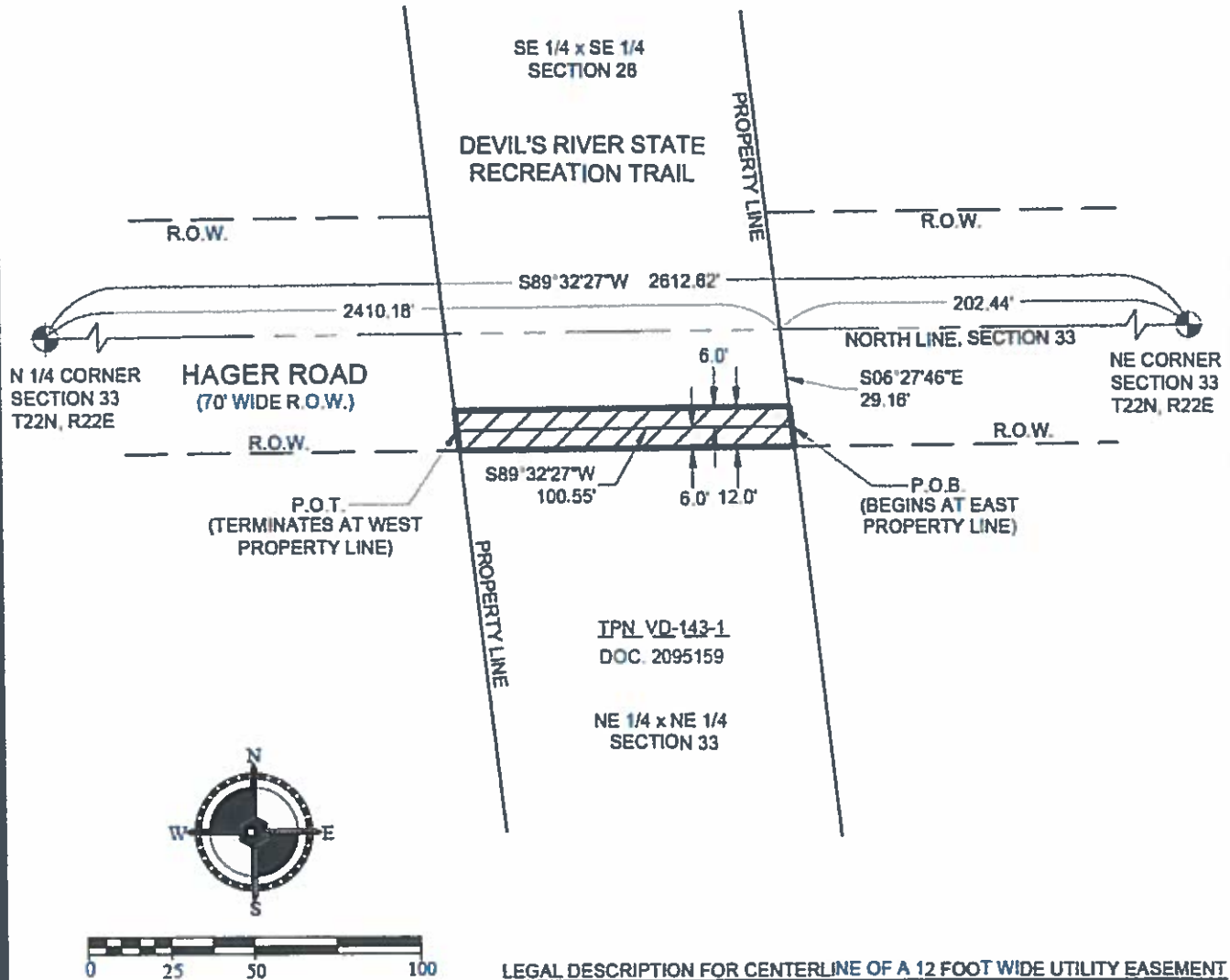
\* \_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission (expires) (is) \_\_\_\_\_

\* Please print name.

This instrument drafted by:  
State of Wisconsin  
Department of Natural Resources

# EXHIBIT "A"

PART OF THE PARCEL DESCRIBED IN THE BROWN COUNTY REGISTER OF DEEDS, RECORDED AS DOCUMENT NUMBER 2095159; BEING PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4-NE1/4) OF SECTION 33, TOWNSHIP 22 NORTH, RANGE 22 EAST, VILLAGE OF DENMARK, COUNTY OF BROWN, STATE OF WISCONSIN



## LEGEND

P.O.B. POINT OF BEGINNING  
P.O.T. POINT OF TERMINATION  
TPN TAX PARCEL NUMBER  
UTILITY EASEMENT

## LEGAL DESCRIPTION FOR CENTERLINE OF A 12 FOOT WIDE UTILITY EASEMENT

Commencing at the Northeast corner (NE) of Section 33, Township 22 North, Range 22 East; thence S89°32'27"W along the North line of said Section 33, a distance of 202.44 feet to a point on the East property line of the parcel described in the Brown County Register of Deeds, recorded as Document Number 2095159; thence S06°27'46"E along the East property line of said parcel, a distance of 29.16 feet to the POINT OF BEGINNING (P.O.B.).

Thence S89°32'27"W, a distance of 100.55 feet to a point on the West property line of said parcel, and the POINT OF TERMINATION (P.O.T.).

BEARINGS ARE BASED ON BROWN COUNTY COORDINATE SYSTEM

1 of 1



COLEMAN ENGINEERING COMPANY  
IRON MOUNTAIN • IRONWOOD • NIOUE • GLEN BAY  
www.coleman-engineering.com

PREPARED FOR:

Wisconsin Public  
Service Corporation



700 North Adams Street  
P.O. Box 1000  
Oshkosh, WI 54901-1000  
Phone: 920-231-1211 Fax: 920-231-4023

DATE: 8/28/19

WPS PROJ: 2906995

CEC JOB #: 190703

SKETCH SCALE: 1" = 50'

14

PARKS

Brown County

P.O. BOX 23600  
GREEN BAY, WI 54305-3600



Matt Kriese

PHONE: (920) 448-6242 FAX: (920) 448-4054

ASSISTANT PARKS DIRECTOR

RESOLUTION/ORDINANCE SUBMISSION TO COUNTY BOARD

DATE: 12/10/2019  
REQUEST TO: Education and Recreation Committee  
Executive Committee  
MEETING DATE: 01/30/2020, 2/10/2020, respectively  
REQUEST FROM: Matt Kriese

REQUEST TYPE: ☒ New resolution ☐ Revision to resolution  
☐ New ordinance ☐ Revision to ordinance

TITLE: RESOLUTION TO APPROVE UNDERGROUND GAS PIPELINE EASEMENT  
AGREEMENT

**ISSUE/BACKGROUND INFORMATION:**

The WI DNR is the owner of the Devils River State Trail, and the County holds a Trail Management Easement. This resolution authorizes the County to approve a 100.55 feet length easement for Wisconsin Public Service Corporation to install, operate, maintain, repair, remove and replace a 6-inch gas pipeline under the trail in the Village of Denmark.

**ACTION REQUESTED:**

Request to Approve this Resolution

**FISCAL IMPACT:**

*NOTE: This fiscal impact portion is initially completed by requestor, but verified by the DOA and updated if necessary.*

1. What is the amount of the fiscal impact? \$0
2. Is it currently budgeted? ☐ Yes ☐ No ☒ N/A (if \$0 fiscal impact)
  - a. If yes, in which account? \_\_\_\_\_
  - b. If no, how will the impact be funded? \_\_\_\_\_
  - c. If funding is from an external source, is it one-time ☐ or continuous? ☐
3. Please provide supporting documentation of fiscal impact determination.

***x COPY OF RESOLUTION OR ORDINANCE IS ATTACHED***

February 19, 2020

TO THE HONORABLE CHAIRMAN AND  
MEMBERS OF THE BROWN COUNTY BOARD OF SUPERVISORS

Ladies and Gentlemen:

**RESOLUTION AUTHORIZING COUNTY TRUNK HIGHWAY  
JURISDICTIONAL REVISIONS ON COUNTY HIGHWAY S,  
IN THE TOWN OF LAWRENCE, BROWN COUNTY**

**WHEREAS**, Section 83.025 of the Wisconsin Statutes authorizes the County Board to make changes in the County Trunk Highway System if it deems that the public good is best served thereby, such revisions to the highway system must be with the consent of the Wisconsin Department of Transportation and approval of the governing body of the city, village or town in which the proposed change is located; and

**WHEREAS**, the Town of Lawrence reconstructed Hickory Road to County Trunk Highway standards during the 2019 construction season; and

**WHEREAS**, the Town of Lawrence passed a resolution requesting that 0.33 miles of Lawrence Drive from the northbound ramps at I-41 to Hickory Road, and 1.24 miles of Hickory Road from Lawrence Drive to CTH D be added to the County Highway System as an extension of CTH S (see attached Town of Lawrence Resolution 2019-18); and

**WHEREAS**, the extension of CTH S to CTH D along the aforementioned route is currently classified a rural major collector, which will provide a safe, efficient route from CTH D to I-41 as the area develops. This route was reviewed and determined as being in the best interest of the traveling public.

**NOW, THEREFORE, BE IT RESOLVED**, that the 0.33 miles of Lawrence Drive from the northbound ramps at I-41 to Hickory Road and the 1.24 miles of Hickory Road from Lawrence Drive to CTH D be added to the County Trunk Highway System; and

**BE IT FURTHER RESOLVED**, that, upon adoption of this resolution, the County Clerk will submit two (2) copies to the Wisconsin Department of Transportation, Northeast Region, Green Bay, for approval, and that this resolution shall take effect upon that approval.

*Fiscal Note: This resolution does not require an appropriation from the General Fund. This resolution expands the County Highway System, which will add to future maintenance costs.*

Respectfully submitted,

PLANNING, DEVELOPMENT &  
TRANSPORTATION COMMITTEE  
EXECUTIVE COMMITTEE

Approved By:

\_\_\_\_\_  
TROY STRECKENBACH  
COUNTY EXECUTIVE

Date Signed: \_\_\_\_\_

20-016R

Authored by: Public Works - Highway Division  
Final Draft Approved by Corporation Counsel

**RESOLUTION 2019-018**  
**Town of Lawrence, Wisconsin**

**RESOLUTION AUTHORIZING AND REQUESTING PETITION TO BROWN COUNTY FOR  
CONSIDERATION OF JURISDICTIONAL TRANSFER TO EXTEND COUNTY HIGHWAY  
"S", EXTENDING COUNTY HIGHWAY DESIGNATION TO INCLUDE A PORTION OF  
LAWRENCE DRIVE AND HICKORY ROAD IN TOWN OF LAWRENCE, BROWN COUNTY**

WHEREAS, Section 83.025 of the Wisconsin Statutes authorizes the County Board of Supervisors to make changes in the County Trunk Highway System if it deems that the public good is best served thereby, such revisions to the highway system must be with the consent of the Wisconsin Department of Transportation and approval of the governing body of the city, village or town in which the proposed change is located; and

WHEREAS, the Town of Lawrence is currently reconstructing Hickory Road to County Trunk Highway standards, with an intent for a portion of Lawrence Drive and newly reconstructed Hickory Road becoming County Highway S when construction is completed in Spring 2020; and

FURTHERMORE, the 0.33 miles of Lawrence Drive from the northbound ramps at I-41 to Hickory Road, and the 1.24 miles of Hickory Road from Lawrence Drive to CTH D are currently classified as rural major collectors connecting CTH D directly to the I-41 interchange at CTH S. The County Highway designation will provide a safe, efficient route from CTH D to I-41 as the area develops; and

WHEREAS, the extension of CTH S to CTH D along the aforementioned route has been reviewed and determined by the Town of Lawrence as being in the best interest of the traveling public;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Lawrence Board of Supervisors hereby petitions Brown County that the 0.33 mile segment of Lawrence Drive from the northbound ramps at I-41 to Hickory Road, and the 1.24 mile segment of Hickory Road from Lawrence Drive to CTH D be added to the County Trunk Highway System as extension of CTH S, effective in 2020.

BE IT FURTHER RESOLVED, that upon adoption of this resolution by the Town Board and, that the County Clerk will submit the executed resolution to the Brown County Public Works Department

**RESOLUTION 2019-018**  
**Town of Lawrence, Wisconsin**

**RESOLUTION AUTHORIZING COUNTY TRUNK HIGHWAY JURISDICTIONAL**  
**REVISIONS ON COUNTY HIGHWAY "S" - EXTENDING TO INCLUDE A PORTION OF**  
**LAWRENCE DRIVE AND HICKORY ROAD IN THE TOWN OF LAWRENCE, BROWN**  
**COUNTY**

and/or Brown County Board of Supervisors, for review and consideration of approval, and that this jurisdictional transfer shall take effect upon completion of the Hickory Road Reconstruction project in 2020 and upon receipt of appropriate action from Brown County and Wisconsin Department of Transportation evidencing their concurrence with this resolution.

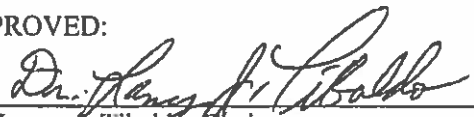
Adopted by the Town Board of the Town of Lawrence, Wisconsin, this 11<sup>th</sup> day of November, 2019.

Introduced by: Supervisor Vandennack

Seconded by: Supervisor Van De Hei

5 - Ayes      0 - Nays

APPROVED:

  
\_\_\_\_\_  
Dr. Lanny J. Tibaldo, Chairperson

ATTEST:

  
\_\_\_\_\_  
Cindy Kocken, Town Clerk-Treasurer

PUBLIC WORKS DEPARTMENT

Brown County

2198 GLENDALE AVENUE  
GREEN BAY, WI 54303

PHONE (920) 662-2160 FAX (920) 434-4576  
EMAIL: bc\_highway@co.brown.wi.us

PAUL A. FONTECCHIO, P.E.  
DIRECTOR

RESOLUTION/ORDINANCE SUBMISSION TO COUNTY BOARD

DATE: 11/15/2019  
REQUEST TO: Planning, Development & Transportation & Executive Committee  
MEETING DATE: 1/27/2020 & 2/10/20, respectively  
REQUEST FROM: Paul Fontecchio, Director  
REQUEST TYPE: ☒ New resolution ☐ Revision to resolution  
☐ New ordinance ☐ Revision to ordinance

TITLE: RESOLUTION REGARDING THE JURISDICTIONAL TRANSFER OF LAWRENCE DRIVE AND HICKORY ROAD FROM THE TOWN OF LAWRENCE

**ISSUE/BACKGROUND INFORMATION:**

The Town of Lawrence reconstructed Hickory Road to County Trunk Highway standards during the 2019 construction season.

The Town of Lawrence passed a resolution requesting that the 0.33 miles of Lawrence Drive from the northbound ramps at I-41 to Hickory Road and the 1.24 miles of Hickory Road from Lawrence Drive to CTH D be added to the County Trunk Highway System as an extension of CTH S.

**ACTION REQUESTED:**

Requesting approval by the Planning, Development & Transportation (PD&T) Committee at the PD&T meeting and to forward on to the County Board of Supervisors for approval and implementation.

**FISCAL IMPACT:**

NOTE: *This fiscal impact portion is initially completed by requestor, but verified by the DOA and updated if necessary.*

1. Is there a fiscal impact? ☒ Yes ☐ No
  - a. If yes, what is the amount of the impact? \$1,000 (for signs)
  - b. If part of a bigger project, what is the total amount of the project? N/A
  - c. Is it currently budgeted? ☒ Yes ☐ No
2. If yes, in which account? 660.044.001.5000.550 (Cost of sales Special Revenue)
3. If no, how will the impact be funded? \_\_\_\_\_

☒ COPY OF RESOLUTION OR ORDINANCE IS ATTACHED

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